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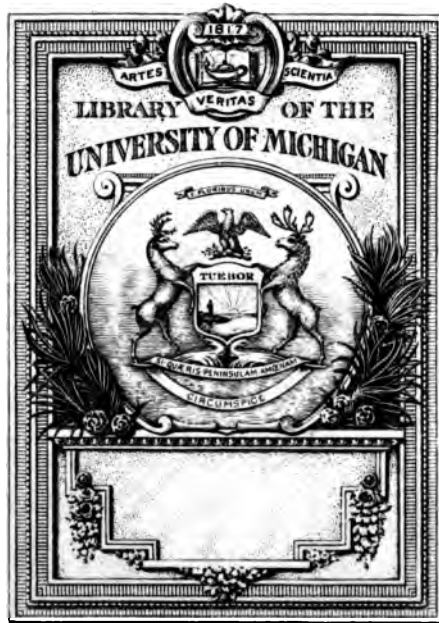
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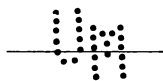
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BY  
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President and Founder International Peace Assurance Association,  
Author of the Booklets, "To Prevent Wars," "Plans for the Organization of  
an International Peace Assurance Association," and "To cause  
Nations to use Humane Methods in Settling Controversies and Reduce the Enormous Expense of  
Armament."

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## PREFACE.

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The objects and purpose of this book are: First, to set forth a history of the progress of peace from the earliest governmental records to the present time; second, to teach the youth of the land, and all others, the arts and blessings of peace. Being engaged in the arts of peace myself, I felt the need of a history of peace, but after search and inquiry and the examination of the catalogues of great libraries, was unable to find anything in this line. Knowing that others as well as myself felt the need of such a work, I decided to supply that need.

Material for the book was difficult to secure, the documents from which the desired information could be obtained being widely scattered, and when found were often incomplete, or were so ambiguous that it required great labor and care to extract the matter desired.

HOMER L. BOYLE.





# CONTENTS.

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Chapter.	Page.
I Peace Plan of Marcus Aurelius, Probus, and others	1
II The Holy Alliance.....	6
III The Monroe Doctrine.....	14
IV The Congress of Paris.....	18
V The Hague Conference.....	27
VI Arbitration and the Distinction Between Media- tion and Arbitration.....	49
VII Arbitrations Between the United States and Other Nations .....	66
VIII Peace Congresses and Peace Societies.....	85
IX Quakers in America and Ireland, and also Essays for Peace.....	100
X True Grandeur of Nations.....	120
XI Sermon on Peace, and Other Discourses.....	130
XII Tolstoi on Christianity and War.....	146
XIII International Comity, and Other Speeches.....	166
XIV Later Developments for Peace.....	183
XV Roosevelt, the Peacemaker.....	200
XVI Parliament of Nations.....	205
XVII Prospects for a Permanent International Congress	214
XVIII Educational Work.....	236
XIX Glimpse of the Future.....	250
XX Buddha (The Great Apostle of Peace and Love and Others).....	257
XXI Peace in Prose and Poetry.....	263
XXII Peace Hymns and Prayers.....	278
Appendix .....	287
Index .....	367



## INTRODUCTION.

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In the past, human history has largely been made up of stories of war, but as the years go by it is more and more in evidence that Peace has greater victories; that the heroes of peace are entitled to more adoration from mankind than are the heroes of war; that the advance of civilization is more marked by the events of peace than by battlefields; that peace conferences are more important to humanity than are councils of war; that a peace society should receive more honor than does a military company; in short, that a history of peace is a better index of civilization, and more important to the world, than is a history of war.

The history of peace is made up of international negotiations, compromises and diplomacy, and is marked by peace treaties, arbitration treaties, and peace conferences, peace societies, peace days, peace unions, peace conventions, and, above all, writings and speeches for peace by representative men and women. The past few years have been peace years, as their record, found in the appendix, illustrates.

Among all nations of the earth the people are the power, and if they are determined to have universal peace, there will be no more war.

The most practicable and feasible method of averting wars is to educate the people toward peace, and to support candidates for office who pledge themselves to aid in the settlement of international complications by humane methods, and to work in the arts of peace

in such a way that it will be possible to enforce the edicts of arbitratative bodies by public sentiment.

Mr. Gladstone once called upon the Queen and requested her to sign some papers which did not meet with her approval. She hesitated, and finally, when urged, she haughtily said, "I will give you to understand that I am the Queen." And the Grand Old Man, in answer, said, "I will give you to understand that I represent the people." And she signed the papers. Men in high public station depend, after all, upon the people. In turn they must correctly represent the wishes of the people, for if they disregard the appeals and wishes of those whom they represent, they usually find their tenure of office short and their names dishonored.

The sovereign heads of empires, kingdoms and republics, too, are now far more observing of the welfare and wishes of their people than history records of the past. The sovereignty of no government will oppose the wishes of the people. In many cases government representatives are compelled to maintain peace in obedience to popular sentiment.

Nations are drawn closer together by the commercial relations of their citizens. Vast investments are placed in jeopardy and a growing commerce is greatly damaged and often retarded by war.

When differences arise between nations, it is natural that each one should believe itself wholly in the right and the other wholly in the wrong, but generally both have something of right and wrong in their claims. Arbitration brings the good offices of the best and most conservative men of other nations whose sworn duty it is to measure and weigh the differences of the nations in controversy and find the right. By warfare victory is not always to the just. There is no compensation for the loss of human lives. William Penn, the Quaker, settled many controversies

with the savages without the shedding of blood ; and the Great Author of Peace has said that the time will come when nations "Shall beat their swords into plough-shares and their spears into pruning hooks, and shall learn war no more."

It should be understood at the outset that this book is a history of peace and is therefore not intended to touch upon treaties, interventions or other events and settlements made by force of arms or through the influence of war.

H. L. B.



# HISTORY OF PEACE.

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## CHAPTER I.

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### PEACE PLAN OF MARCUS AURELIUS PROBUS

Roman Emperor, A. D. 276 to 282.

Peace plans are not of modern origin. As early as the third century Marcus Aurelius Probus conceived a plan to maintain peace, and also wholesome conditions, in the ranks of his standing army by occupying his soldiers in useful labor when not actively employed in warfare. Unlike his predecessor, Aurelian, who punished the irregularities of his soldiers with unrelenting severity, Probus employed his legions in constant and useful labors. In Egypt he engaged them in many large undertakings for the splendor and benefit of the fertile country. The navigation of the Nile, so important to Rome itself, was improved. Temples, buildings, porticos, and palaces were constructed by the hands of the soldiers, who acted by turn as architects, engineers, and husbandmen.

It is reported of Hannibal, that in order to preserve his troops from the dangerous temptations of idleness, he obliged them to plant large plantations of olive trees along the coast of Africa. From a similar principle, Probus exercised his legions in covering with rich vineyards the hills of Gaul and Pannonia, and two considerable territories are described which were



entirely planted and cultivated by military labor. One of these, known under the name of Mount Almo, was situated near Sirmium, the country where Probus was born, for which he ever retained a partial affection, and whose gratitude he endeavored to secure by bringing under tillage a large and unhealthy tract of marshy ground. The army thus employed constituted perhaps the most useful, as well as the bravest, portion of Roman subjects.

But in the prosecution of a favorite project, the best men, satisfied with the rectitude of their intentions, are subject to forget the bounds of moderation; nor did Probus himself sufficiently consult the patience and disposition of his fierce legionaries. The dangers of the military profession seem only to be compensated by a life of pleasure and idleness; but if the duties of the soldier are incessantly aggravated by the labors of the peasant, he will at last sink under the intolerable burden, or shake it off with indignation. The imprudence of Probus is said to have inflamed the discontent of his troops. More attentive to the interests of mankind than to those of the army, he expressed the vain hope, that by the establishment of universal peace, he would abolish the necessity of a standing and mercenary force. Such unguarded expressions proved fatal to him. In one of the hottest days of summer, as he severely urged the unwholesome labor of draining the marshes of Sirmium, the soldiers, impatient of fatigue, suddenly threw down their tools, grasped their arms, and broke out into furious mutiny. The emperor, conscious of danger, took refuge in a lofty tower, constructed for surveying the progress of the work. The tower was instantly forced, and a thousand swords plunged into the bosom of the unfortunate Probus. The rage of the troops subsided as soon as it had been gratified. They then lamented their fatal rashness, forgot the severity of the emperor whom they had

massacred, and hastened to perpetuate, by an honorable monument, the memory of his virtues and victories.

“Put up the sword!” the voice of Christ once more  
Speaks, in the pauses of the cannon’s roar,  
O’er fields of corn by fiery sickles reaped  
And left dry ashes ; over trenches heaped  
With nameless dead ; o’er cities starving slow  
Under a rain of fire ; through words of woe  
Down which a groaning diapason runs  
From tortured brothers, husbands, lovers, sons  
Of desolate women in their far-off homes  
Waiting to hear the step that never comes !  
O, men and brothers ! let that voice be heard.  
War fails. Try peace ; put up the useless sword !

---

### The Great Peace Design of Henry IV.

In the sixteenth century Henry IV. of France conceived a plan to establish and maintain peace throughout all Europe. He not only sought friendly relations with surrounding kingdoms, but urged an alliance of states for peace purposes. The King of France believed that the happiness of mankind could never arise from war, the inevitable results of which are the destruction of life, property and industries. He asserted that the motive of war is conquest, and that the attempts of monarchies to increase their domains and power through the agency of war meant only bloodshed and disaster. He deplored the fact that kings often seek war for personal glory and achievement. He therefore urged a federation of states to maintain peace and the balance of power in Europe.

Unlike most crowned heads of that period, Henry IV. was not inspired by selfish and unworthy ambitions for war. His desire was to make the people of

France, and of all Europe, contented and happy. He discouraged the prevalent thirst for riches and the wasteful spread of luxury. He stimulated agriculture, manufactures and commerce, and introduced financial reforms. In consequence of his beneficent policy France grew prosperous and her people became industrious and happy. Naturally France became more prominent and influential among the states, and Henry IV. became powerful throughout all Europe. His influence was active at every capital.

The provisions of the "Great Design" included both religious and political concerns. That part of the plan which relates to religion provided for the peaceable maintenance of the Christian religion, and for the expulsion of all infidels. On the political side the design was to divide all Europe into a definite number of powers, in such a manner that none of them should have cause of either fear or envy from the possessions or power of the others. There were to be fifteen states, as follows: Six great hereditary monarchies, five elective monarchies, and four sovereign republics. Provision was also made for a general council, based on that of the ancient Amphyotonic council of Greece, composed of commissioners from the several states. All laws and ordinances necessary to cement such an alliance, and maintain harmony among its members, to insure freedom of commerce, reciprocal oaths and contracts in regard to religion and public policy, were to be enacted by the general council.

In the execution of this great movement in the interests of peace, Henry IV. was aided by Queen Elizabeth of England. Indeed, there is little doubt that her fertile mind had conceived such a plan long before it came to Henry IV. The death of Queen Elizabeth and the assassination of Henry IV., before his plans could be carried into execution, delayed for centuries

an assurance of permanent peace among European powers.

Were half the power, that fills the world with terror ;  
Were half the wealth, bestowed on camps and courts,  
Given to redeem the human mind from error,  
There were no need of arsenals or forts :

The warrior's name would be a name abhorred !  
And every nation, that should lift again  
Its hand against a brother, on its forehead  
Would bear forevermore the curse of Cain !

Down the dark future, through long generations,  
The echoing sounds grow fainter and then cease ;  
And, like a bell, with solemn, sweet vibrations,  
I hear once more the voice of Christ say, "Peace!"

Peace ! and no longer from its brazed portals  
The blast of War's great organ shakes the skies !  
But beautiful as songs of the immortals,  
The holy melodies of love arise.

—H. W. Longfellow.

## CHAPTER II.

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### THE HOLY ALLIANCE.

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The Holy Alliance had its origin with Alexander I. of Russia, and at first was inspired by motives of peace and philanthropy, but after the alliance was formed it became an instrument of tyranny and terror, and was used for crushing attempted reforms and revolutions.

In 1815 the allied powers were engaged in eagerly discussing the conditions of European peace in Paris. It was on the 10th of September, of that year, while 150,000 soldiers were gathered outside of the French capital in a great demonstration, that Alexander conceived the proclamation of the Holy Alliance, the most far-reaching in its effects of all the events of his reign. "This day," said he, in speaking of it afterwards, "has been the most beautiful of my life. My heart was filled with love for my enemies; and it was while weeping at the foot of the cross of Christ that I interceded on behalf of France." The aim of Alexander was to unite all the churches of Europe,—Greek, Roman, Anglican and Protestant,—which union, he believed, would lay the foundation for an era of universal peace, forgetful that outside of his own empire the will of the people is of greater moment than that of the sovereign. The terms of this universal peace were drafted in his own handwriting. To each of the Allied Sovereigns or their representatives, assembled at Paris in 1815, Alexander personally presented it for signature.

It is interesting at the present day to observe how this peace proposal was received by the powers of Europe. The King of Prussia, as Alexander's natural ally, signed it without hesitation. In spite of objections and suspicions, the Emperor of Austria put his name to it; and of course Louis XVIII., who had but a short while ago thrown himself on the clemency of the czar as the only friend France possessed, did likewise. Holland, Saxony, and the other minor states of Europe, followed suit, but one power stood out—Great Britain. Lord Castlereagh hummed and hawed over the matter, declared it was impossible for the Prince Regent to put his signature to it, as it was contrary to the British constitution for a monarch to sign a treaty in the place of his plenipotentiaries, and that grave complications might ensue if the document were laid before Parliament for its approval. In his report to Lord Liverpool, Castlereagh went so far as to hint that Alexander's mind was not entirely sound to entertain such an idea, but he admitted that the emperor really appeared to be in earnest.

Although 1815 did not usher in the millenium, the long period of peace which Europe enjoyed after that year may have been in some measure due to the efforts of the "great peacemaker of Europe" to apply the doctrine of Christianity to the problem of international policy. If history repeats itself, who knows but that another ruler may succeed in pushing off for a time that coming conflict which, to some of the Western people who claim to be less barbarous than the Muscovites, seems to be inevitable?

The causes and powers behind the throne which moved Alexander I. to form the Holy Alliance are interesting. Madame de Kruderer, a Russian religious fanatic and enthusiast, felt that she was a prophetess. The Empress Elizabeth, Alexander's wife, spent the summer of 1814 with her brother, the Duke of Baden.

There Madame de Kruderer became the firm friend of one of the court ladies, the Princess Roxandra Sturdza. In the letters which she afterwards wrote her new friend, she says: "You wish you could only express to me the many profoundly beautiful characteristics of the Emperor's soul. I think that I already know a great deal about him. I have been sure for a long time that the Lord will give me the joy of seeing him. I have immeasurable things to communicate to him, for I have suffered much on account of them." And again: "Although the Prince of Darkness do his utmost to prevent it and to keep at a distance from him those who can speak to him of things Divine, yet the eternal will be victorious." These letters were shown to the Emperor and interested him deeply. Madame de Kruderer followed the Emperor to Paris and saw with what associates he was surrounded.

Frank Bader, however, was the originator of the idea of the Holy Alliance. He was a man of unusual power and peculiar views. Philosophy in his eyes was better understood by the mystics of the Middle Ages than by modern skeptics, upon whom he looked with unmeasured contempt. In 1814 he addressed from Munich a letter to the Emperors of Russia and Austria and the King of Prussia, suggesting the idea of a Christian Alliance founded on universal brotherhood and love. Many things conspired to make Bader's plan bear fruit in Alexander's heart. In Paris, Madame de Kruderer kept urging him to perform mighty Christian deeds, and it was under the influence of this adventuress that the Emperor wrote the first draught of the Holy Alliance, by which the sovereigns were to agree to consider all men as brothers, and to remain in a bond of perpetual fraternity, giving each other comfort and assistance, and looking upon their armies and subjects as children, at the same time protecting religion, peace, and righteousness. They then agreed

to become members of one and the same nation in Christ, ruling in accordance with the power entrusted them by God, and finally, allowing all other powers to join the Alliance on condition of recognizing these axioms. Inoffensive though it was, it made a great noise in Europe, and is a singular monument of Alexander's temper at this period. Without doubt he meant it to be a mystic bond, and hence would allow none but the sovereigns to sign their names. The King of Prussia signed it willingly, the Emperor of Austria without knowing why, Louis XVIII. with a smile. Later all the Princes of Europe were invited to sign, except the Sultan and the Pope, against whom the Emperor had acquired a deeply rooted prejudice. Nevertheless Russia had then in Europe preponderating influence, out of proportion to its real strength and the number of its army. But it was Alexander who had given the signal for the struggle against Napoleon, and had shown the most perseverance in pursuit of the common end. Alone, he could never have crushed the man of destiny, the black angel as Madame de Kruderer called him, but without his example the states of Europe would never have dreamed of arming against him. His skillful leniency towards France finished the work begun by the war. Alexander was then incontestably the head of Europe.

The influence of the Holy Alliance showed itself in the congresses in which the European states tried to arrange the affairs of the Continent. The first in date after the Congress of Vienna is that of Aix-la-Chapelle, in 1818, which regulated the relations of Europe with France; this country appeared sufficiently quiet for the occupation to cease.

The second congress was that of Carlsbad, in 1819, where the tone of mind prevalent in Germany was discussed. The disloyalty of the German princes, who had forgotten the promises of liberty made in 1813,



had provoked a general stir in German public opinion. The young men, the university professors, and the liberal writers demanded the promised constitutions. The ecstatic demonstrations of the German students, and the murder of Kotzebue by Maurice Sand, shook all the cabinets. From this moment Alexander's character seems to change; the liberator of Europe, the champion of liberal ideas, submits in his turn to a malign influence. He subscribes to measures which aim to deprive Germany of the liberties which he himself had promised in 1813. The press is subjected to a rigorous censure; the universities are closely watched, and the liberal professors expelled; while the patriots of the war of independence, and Alexander's companions in arms, are obliged to seek refuge in the France they had despoiled.

Spain rose and imposed a constitution on its kings; this constitution became an object of envy to the neighboring peoples; then broke out the revolutions of Portugal, Naples and Piedmont. As champion of Divine right, Alexander now defended the contemptible petty kings of the South, Ferdinand VII. of Spain and Ferdinand IV. of Naples, who had perjured themselves to their people. He who had wished to give Poland a constitution, and to guarantee that of France, opposed to the utmost the constitutional measures of Spain and Italy. He thought himself obliged to interfere, in these remote regions, about questions foreign to the interests of Russia. He convoked a congress at Troppau in 1820, but transferred it to Laybach, so that the King of Naples might the more easily be absolved from his constitutional oath, and provoke vengeance against his too credulous subjects. Alexander was on the point of sending an army to Naples, but Austria, always uneasy at Russian interference in Italy, hastily despatched an army which put an end to the Neapolitan and Piedmontese constitutions. The Russian flag

thus escaped the doubtful honor of protecting the bloody Neapolitan reaction.

In 1822 the Congress of Verona took place. Russia sent, as did the other powers, a threatening note to the constitutional cabinet of Madrid. The latter returned a proud answer. The French army was then entrusted to carry out the wishes of Europe beyond the Pyrennees.

Still greater events were at hand in the East. The Balkan Peninsula began to be in thorough commotion. The Ottoman yoke bore heavily on all. A young Greek conceived the idea of freeing his native land, and founded the Hetaitela; this secret brotherhood was spreading in all the provinces and in all the isles of Greece. What was Alexander to do in the presence of this awakening universe? Would he act according to the principles and after the heart of Catherine, as he said in his manifesto at his accession? Would Servia find in him the liberator of 1813, or the president of the Congress of Carlsbad, the man believing in legitimacy at all costs, the champion of absolute monarchical rights, the theorist of the passive obedience of subjects? This seemed so impossible to the nations that the Greeks refused to believe when it was asserted that they would not be supported. The war of extermination had already begun by a Mussulman riot at Constantinople. At the feast of Easter, 1821, the Greek population was assaulted, and, as if the better to insult the orthodox religion, the Patriarch was seized at the altar and hung at the doors of the church in his sacerdotal robes. Three metropolitans, eight bishops, thirty thousand men, women and children, were slain. Russia trembled with indignation. Alexander exchanged diplomatic notes with the Porte, and allowed himself to be lulled to sleep by England and Austria, who did not desire intervention. The massacres continued. The Russian people were astounded, and attributed to

the wrath of God, angry at the immunity accorded to the assassins of the Greek Patriarch, the terrible inundation of St. Petersburg, and the premature and mysterious death of Alexander.

With the death of Alexander the Holy Alliance rapidly dissolved. It was his personality which inspired and controlled it. It commenced in love and freedom, and ended in fear and oppression. It accomplished some good, but more evil. Nevertheless it marks a step in the progress of mankind towards perpetual peace.

This is the Arsenal. From floor to ceiling,  
Like a huge organ, rise the burnished arms;  
But from their silent pipes no anthem pealing  
Startles the village with strange alarms.

Ah! what a sound will rise; how wild, how dreary,  
When the death-angel touches those swift keys!  
What loud lament and dismal Miserere  
Will mingle with their awful symphonies!

I hear even now the infinite fierce chorus,  
The cries of agony, the endless groan  
Which, through the ages that have gone before us,  
In long reverberations reach our own.

On helm and harness rings the Saxon hammer,  
Through Cimbric forests roars the Norseman's song,  
And loud, amid the universal clamor,  
O'er distant deserts sounds the Tartar gong.

I hear the Florentine, who from his palace  
Wheels out his battle-bell with dreadful din,  
And Aztec priests upon their teocallis  
Beat the wild war-drums made of serpent's skin;

The tumult of each sacked and burning village;  
The shout that every prayer for mercy drowns;

The soldiers' revels in the midst of pillage;  
The wail of famine in beleaguered towns;

The bursting shell, the gate-way wrench asunder,  
The rattling musketry, the clashing blade;  
And ever and anon, in tones of thunder,  
The diapason of the cannonade.

Is it, O man, with such discordant noises,  
With such accursed instruments as these,  
Thou drownest Nature's sweet and kindly voices,  
And jarrest the celestial harmonies?

—H. W. Longfellow.

## CHAPTER III.

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### THE MONROE DOCTRINE.

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The Monroe Doctrine of the United States is a policy as old as the nation. Its elements are found in Washington's farewell address written at the close of his second administration, in which he warned the American people to beware of entangling foreign alliances. The first President, and his successors, in conducting the foreign affairs of the United States, all endeavored to maintain the real independence and strict neutrality of the nation.

The spirit of political, commercial and moral independence expressed in the American Revolution increased and extended the power and influence of the United States. It forced recognition from the nations of the earth. It maintained neutrality for many years after the adoption of the Constitution; it purchased Louisiana from France; it fought a second war with Great Britain; it obtained the Floridas; it incited the Spanish-American provinces to revolt, and as a result of it seven new republics claimed audience and admission among the nations of the earth. Russia manifested a desire to extend her possessions and colonize the new world. The peoples of Europe were excited with the spirit of liberty and threatened revolution. Old dynasties were shocked, and ancient thrones tottered. The ancient colonial system seemed about to

collapse. The continental nations of Europe formed the Holy Alliance to quell disturbances and maintain the ancient order. Spain, weak and declining, was calling for aid from the Holy Alliance to conquer her rebellious provinces, who, in turn, were calling upon the United States as the representative republic of the world for aid and comfort to sustain liberty and independence. A universal war threatened. Who could foretell its termination, or its dread results? But the emancipation of Spanish America was necessary for the larger freedom and complete security of the American people. England, from inclination, from traditional policy, and from self-interest, favored America against continental Europe.

Then it was that President Monroe, in 1823, with only England for passive support, defied continental Europe and the aggressions of Spain and Russia in the New World, and in his annual message to Congress promulgated the doctrine which has since borne his name, and has had such a great influence upon the destinies of mankind and the dissemination of peace. The language of the message expressing the Monroe Doctrine is as follows: "At the proposal of the Russian Imperial Government, made through the minister of the Emperor residing here, a full power and instructions have been transmitted to the minister of the United States at St. Petersburg to arrange by amicable negotiation the respective rights and interests of the two nations on the northwest coast of this continent. A similar proposal has been made by his Imperial Majesty to the Government of Great Britain, which has likewise been acceded to. The Government of the United States has been desirous of manifesting by this friendly proceeding the great value which it has invariably attached to the friendship of the Emperor and its solicitude to cultivate the best understanding with his government. In the discussions to which this interest

has given rise and in the arrangements by which they may terminate, the occasion has been judged proper for asserting, as a principle in which the rights and interests of the United States are involved, **that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers.**

“The citizens of the United States cherish sentiments the most friendly in favor of the liberty and happiness of their fellow men on the other side of the Atlantic. In the wars of the European powers, in matters relating to themselves, we have never taken any part, nor does it comport with our policy to do so. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparation for our defense. But with the movements in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers in Europe is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective governments; and to the defense of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candor and to the amicable relation existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the Governments who have declared their independence and maintained it, and whose

independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States."

The policy of the United States has never changed from that expressed by President Monroe. For nearly a century it has been maintained and asserted by the United States. It has not become a part of international law, and probably will never be recognized as law by the nations of Europe, but though not formally recognized, it has greatly influenced international action and will continue so to do as long as the United States is a force in international affairs. It may be modified to meet changed conditions, but it will never be obliterated from the forces that work for international righteousness and universal peace until liberty and independence are banished from the American Continent.

We charge you, on allegiance to yourself,  
To hold your slaughtering hands, and keep the peace.  
—Shakespeare.



## CHAPTER IV.

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### THE CONGRESS OF PARIS.

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The Congress of Paris, in 1856, by which the Crimean war closed, not only ended an international European war which had brought little glory and no benefits to its participants, but marked the beginning of a new era among the nations of the earth in alleviating the horrors of war and making progress towards universal peace.

Now no more the drum  
Provokes to arms, or trumpets' clangor shrill  
Affrights the wives, or chills the virgin's blood.  
—John Phillips.

The members of the Congress completed their work by a declaration of principles concerning maritime law. It related to the four points sub-joined:

1. Privateering is abolished.
2. Neutral flags protect an enemy's merchandise with the exception of contraband of war.
3. Neutral merchandise, contraband of war excepted, is not liable to seizure under an enemy's flag.
4. Blockades to be obligatory must be effective.

Nearly all civilized nations not represented at the Congress of Paris have since adopted the principles of that treaty. During the Civil War in the United States privateering was practiced by the Confederacy, out

of which grew the Alabama claims of the United States against England, but privateering is now tabooed by all civilized nations and lives only in memory.

The principle of a neutral flag protecting merchandise has been an inestimable boon to commerce, as has been the principle that neutral merchandise is not liable to seizure under an enemy's flag. Before the treaty of Paris war practically made belligerents pirates as far as an opponent's commerce was concerned.

The fourth principle enunciating that blockades to be obligatory must be effective, ended those evils which were so conspicuous in the Napoleonic wars, when England and France bombarded each other with paper blockades and caused great distress to neutrals, especially the United States.

The labors of the Congress of Paris terminated by proclaiming reforms in harmony with the progress of civilization and the development of sentiments for universal peace among mankind.

Take heed lest passion sway

Thy judgment to do aught which else free will

Would not admit.

—Milton.

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### **First International American Conference, the Chief Object and Result Being Arbitration.**

On the 24th day of May, 1888, the Congress of the United States passed an act authorizing the President to arrange a conference between the United States and the governments of Central and South America for the purpose of discussing and recommending for adoption, to their respective governments, some plan

of arbitration for the settlements of disputes and for considering questions relating to the improvement of business intercourse and communications, and to the encouragement of reciprocal commercial relations among American nations.

Under the provisions of that act, invitations were extended to the Governments of Mexico, Central and South America, Hayti, and San Domingo, which were accepted and delegates accredited by the following named countries: Argentine Republic, Bolivia, Brazil, Chili, Columbia, Costa Rica, Eucador, Guatemala, Hayti, Honduras, Mexico, Nicaragua, Paraguay, Peru, Salvador, Uruguay and Venezuela.

On behalf of the United States the President appointed as delegates, John B. Henderson, Cornelius N. Bliss, Charles R. Flint, Clement Studebaker, T. Jefferson Coolidge, William Henry Trescot, Andrew Carnegie, Henry G. Davis, Morris M. Estee, and John F. Hanson.

The first meeting was held on October 2nd, 1889, in the City of Washington, in the Diplomatic Room of the Department of State.

A quorum of the delegates being present, the Secretary of State declared the Conference duly assembled and asked the pleasure of the body, when the following resolution was offered by Mr. Rómera, a delegate from Mexico, and unanimously adopted:

"Resolved, That this conference name as President Pro Tempore, the Hon. John B. Henderson, a delegate to this Conference representing the United States of America."

Thereupon the Honorable Secretary of State retired and John B. Henderson assumed the chair and announced the Conference ready for the transaction of business.

Whereupon, on motion of Mr. Hurtado, Charles R. Flint, one of the delegates of the United States, was

unanimously elected as Secretary pro tempore of the Conference.

Thereupon the following resolution was offered by Mr. Romero, a delegate from Mexico, and was unanimously adopted:

"Resolved, That the President pro tempore is hereby authorized and requested to appoint a Committee on Organization, to consist of five members, whose duty it shall be to recommend to the Conference the name of some suitable person as permanent President thereof. And it is further

"Resolved, That said Committee shall recommend to the Conference the manner in which presiding officers shall be elected in the absence of the President."

Under the provisions of the last named resolution the President pro tempore appointed the following committee, to-wit: Matias Romero, Lafayette Rodriguez Pereira, Alberto Nin, Horatio Guzman, Jose M. Hurtado, which said committee, having retired, made the following report, to-wit:

"Resolved, That the Hon. James G. Blaine, Secretary of State of the United States of America, be elected President of the International American Conference. And it is further

"Resolved, That in the absence of the President, the chair will be occupied by one of the delegates of each of the nations represented in the Conference by turn, selected by lot."

Which said report was unanimously adopted by the Conference.

On the order of the Conference, the President pro tempore appointed the following named committee to notify the Hon. James G. Blaine of his election as President of the Conference, to-wit: Jose M. Hurtado, Cornelius N. Bliss, F. C. C. Zegarra, Juan F. Velarde, Manuel Aragon.

The following resolution was offered by Mr.

Romero, a delegate from Mexico, and unanimously adopted, to-wit:

"Resolved, That a committee of seven members be appointed by the President pro tempore, whose duty it shall be to prepare and submit to the Conference, on its re-assembling in Washington, in November next, a set of parliamentary rules for the government of the body in the transaction of business."

Under which said resolution the President pro tempore appointed the following named committee, to-wit: Jose Alfonso, Manuel Quintana, J. C. do Amarel Valente, William H. Trescot, Jose Maria Placido Caamano, Matias Romero, Jacinto Castellanos.

The following resolution was then offered by Mr. Zegarra, a delegate from Peru, and unanimously adopted, to-wit:

"Resolved, That a committee of five members be appointed by the President pro tempore, whose duty it shall be to designate and report to the Conference, on its re-assembling in November next, such committees as in its judgment should be appointed to facilitate the business of the Conference, and the number of members which each committee shall have."

The members of the Conference visited all parts of the United States and examined the manufactories and industries of the nation, after which they re-assembled at Washington, and finally adopted a treaty which provided for arbitration as a means for settling disputes which might arise between American Republics.\*

How sweet the products of a peaceful reign,  
The heaven-taught poet and enchanting strain;  
The well-fill'd palace, the perpetual feast,  
A land rejoicing, and a people blest.—Pope.

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\*The full text of this important treaty can be found in the Appendix.

Written and compiled from the Governmental official report of the first International American Conference.

**Second International Conference of American States,  
Held at the City of Mexico, from October  
22, 1901, to January 22, 1902.**

Discussion upon the subject of arbitration by the representatives of the republics that would constitute the conference, began months previous to its opening, and while every desire was manifested then and thereafter by all to see a conclusion reached by the conference in which all might join, there existed between some of the republics unsettled questions of a character that made their avoidance difficult in any general discussion of the subject. Inasmuch as these questions could not be properly discussed by the conference upon their merits, as they were beyond the scope of the authority conferred upon any of the delegations, excepting those directly interested, the preparation of the program for the conference was a task of delicacy and difficulty, since all desired to prepare one that would satisfy both sides to the controversy in question between any two of the republics.

This difficulty became more apparent as the conference proceeded with its work, so that while it added interest to the discussion among delegates of the results to be hoped for as to arbitration, it was equally an element of possible danger to the success of the conference. In considering the subject of procedure in the conference it was agreed by all that it was most desirable to provide, as far as possible, against the possibility of acrimonious debates arising upon the subject of arbitration, since no change in the opinion of delegates could be hoped for therefrom, while, on the contrary, such debates might easily lead to conflicts of opinion that would be far from beneficial, either to the republics represented or to the success of the conference as a whole. It was tacitly agreed between delegations, therefore, that the discussion of

the subject should be confined, so far as possible, to a committee, and in order that this committee might fully represent the conference it was composed of 18 members, one from each of the 19 delegations in the conference, Ecuador and Santo Domingo being represented by the same delegate.

All projects referring to arbitration and all communications relating thereto were referred to this committee. Among these a carefully prepared project submitted by the Mexican delegation was of great merit and interest. This had been prepared by the Mexican Government wholly from a desire on their part that it might possibly be found of value as the basis upon which some general arbitration scheme could be built up.

The first meetings of the Committee on Arbitration showed conclusively that the committee was too large to deal satisfactorily with the subject; that if the idea of limiting the discussion of the subject to the committee was to be attempted, the plan would have to be abandoned, since the rules of the conference provided that all delegations might be present at the meeting of any committee, the result being, therefore, that the discussion would be to all intents as public in the committee as it would be in the conference, since there would be left outside only the newspaper reporters, who (from the large number of persons with whom they were daily brought in contact) found no difficulty in forecasting, with some degree of accuracy, the plans and purposes of the conference. It was therefore decided at the second meeting of the committee, upon the motion of the delegate from the United States, that a committee of seven should be created and that the full committee should not thereafter be called together until their sub-committee had prepared a report for the submission to the full committee; and that the sub-committee should study all projects sub-

mitted to the full committee and endeavor, if possible, to present a unanimous agreement. In the formation of this sub-committee the views of the different delegations regarding the scope within which the application of the principle of arbitration should go were fully represented; hence this sub-committee of seven represented in reality the views and opinion of the entire conference with regard to the subject.

The full committee held but two sessions and the sub-committee but six. During these sessions the sub-committee found it impracticable to anticipate a unanimous agreement among its members. It was informally agreed to, without such fact being expressed by any delegate, that no further session of the sub-committee would be held until some plan had been evolved by some of its members that would appear likely to meet the support of practically all delegations.

There was at no time any difficulty with regard to securing a unanimous report favoring a treaty covering arbitration merely as a principle; all delegations were in favor of that. The point of discussion was to the extent to which the principle should be applied. Concerning this, three views were supported in the conference:

(a) Obligatory arbitration, covering all questions, pending or future, when they did not affect either the independence or the national honor of a country.

(b) Obligatory arbitration, covering future questions only and defining what questions shall constitute those to be excepted from arbitration; and

(c) Facultative or voluntary arbitration, as best expressed by The Hague convention.

The delegation of the United States, through Mr. Buchanan, its representative on the committee and sub-committee, advocated the signing of a protocol affirming the convention for the pacific settlement of international disputes, signed at The Hague July 29, 1899,



as the solution which not only gave promise of securing unanimity of action by the conference, but the widest results for good.

A plan was finally suggested providing that all delegations should sign the protocol to adhere to the proceedings of the convention of The Hague, as originally suggested by the United States delegation, and that the advocates of obligatory arbitration should sign, between themselves, a project of treaty obligating their respective governments to submit to the permanent court at The Hague all questions arising or in existence between themselves, which did not affect their independence or their national honor. Both the protocol and treaty were then to be brought before the conference, incorporated in the minutes without debate or action, and sent to the Minister of Foreign Relations of Mexico, to be officially certified and transmitted by that official to the several signatory governments.

After prolonged negotiations this plan was adopted and carried out as outlined above, all of the delegations in the conference, excepting those of Chile and Ecuador, signing the protocol covering adherence to The Hague convention before its submission to the conference. These, after a protracted debate on a point of order involving the plan adopted, later accepted in open conference a solution which made them, as they greatly desired to be, in another form than that adopted, parties to the protocol.

In addition to accepting The Hague convention the conference went further. It accepted the three Hague conventions as principles of public American international law, and authorized and requested the President of the Mexican Republic, as heretofore explained, to enter upon negotiations with the several American Governments looking toward the most unrestricted application of arbitration possible should the way for such a step appear open.

In addition to the protocol and treaty referred to, another step was taken in the direction of the settlement of international controversies, by the adoption and signing on the part of every country represented in the conference, of a project of treaty covering the arbitration of pecuniary claims. Under this the several republics obligate themselves for a period of five years to submit to the arbitration of the court at The Hague all claims for pecuniary loss or damage which may be represented by their respective citizens and which can not be amicably adjusted through diplomatic channels, when such claims are of sufficient importance to warrant the expense of arbitration. Should both parties prefer that a special jurisdiction be organized according to Article 21 of the convention of The Hague, this may be done, and if the permanent court of The Hague shall not be open to one or more of the signatory republics for any cause, the obligates themselves to stipulate then in a special treaty the rules under which a tribunal shall be established for the adjustment of the matter in dispute and the form of procedure to be followed in such arbitration.

As a supplement to the protocol and treaty above referred to this project of treaty is of great importance and will most certainly be of wide benefit to the good relations and intercourse between the United States and her sister republics of the hemisphere.

Written and compiled from Governmental official report of the Second International Conference of American States.

## CHAPTER V.

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### THE HAGUE CONFERENCE.

The Hague Conference, held in 1899, was a most important step towards alleviating the horrors of war

and towards universal peace. The good work of the Conference and its stimulating effects on civilization can hardly be over-estimated. Already it has done much for humanity, and as the years go by, its influence will extend and its benefits multiply. Its recommendations constitute a constant active force for good among the nations of the earth. Its precepts are rapidly becoming fixed principles of international law. The calling of the Conference, its deliberations and its records form an interesting narrative of progress. The men there assembled made real what formerly had been ideal. It undoubtedly was the most important event of human history during the last years of the past century. Not the least interesting among the incidents of the Conference was its origin.

“And he shall speak peace unto the nations.”—  
Zach. 9-10.

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#### **The Rescript of the Russian Emperor, Aug. 12, 1898.**

At the regular weekly reception of the diplomatic representatives accredited to the Court of St. Petersburg, held at the Foreign Office in that city on Wednesday, August 24, 1898, each visitor was surprised to receive from Count Mouravieff, the Russian Foreign Minister, a lithographed communication, which read as follows:

“The maintenance of general peace, and a possible reduction of the excessive armaments which weigh upon all nations, present themselves in the existing condition of the whole world, as the ideal towards which the endeavors of all Governments should be directed.

“The humanitarian and magnanimous ideas of His Majesty, the Emperor, my August Master, have been won over to this view. In the conviction that this

lofty aim is in conformity with the most essential interests and the legitimate views of all Powers, the Imperial Government thinks that the present moment would be very favorable for seeking, by means of international discussion, the most effectual means of insuring to all peoples the benefits of a real and durable peace, and, above all, of putting an end to the progressive development of the present armaments.

"In the course of the last twenty years the longings for a general appeasement have become especially pronounced in the consciences of civilized nations. The preservation of peace has been put forward as the object of international policy; in its name great states have concluded between themselves powerful alliances; it is the better to guarantee peace that they have developed, in proportions hitherto unprecedented, their military forces, and still continue to increase them without shrinking from any sacrifice.

"All these efforts, nevertheless, have not been able to bring about the beneficent results of the desired pacification. The financial charges following an upward march strike at the public prosperity at its very source.

"The intellectual and physical strength of the nations, labor and capital, are for the major part diverted from their natural application, and unproductively consumed. Hundreds of millions are devoted to acquiring terrible engines of destruction, which, though today regarded as the last word of science, are destined tomorrow to lose all value in consequence of some fresh discovery in the same field.

"National culture, economic progress, and the production of wealth, are either paralyzed or checked in their development. Moreover, in proportion as the armaments of each Power increase, so do they less and less fulfill the object which the Governments have set before themselves.

"The economic crises, due in great part to the system of armaments a l'outrance, and the continual danger which lies in this massing of war material, are transforming the armed peace of our days into a crushing burden, which the peoples have more and more difficulty in bearing. It appears evident, then, that if this state of things were prolonged, it would inevitably lead to the very cataclysm which it is desired to avert, and the horrors of which make every thinking man shudder in advance.

"To put an end to these incessant armaments and to seek the means of warding off the calamities which are threatening the whole world, such is the supreme duty which is today imposed on all States.

"Filled with this idea, His Majesty has been pleased to order me to propose to all the Governments whose representatives are accredited to the Imperial Court, the meetings of a conference which would have to occupy itself with this grave problem.

"This Conference should be, by the help of God, a happy presage for the century which is about to open. It would converge in one powerful focus the efforts of all States which are sincerely seeking to make the great idea of universal peace triumph over the elements of trouble and discord.

"It would, at the same time, confirm their agreement by the solemn establishment of the principles of justice and right, upon which repose the security of States and the welfare of peoples."

For right is right, since God is God,  
And right the day must win;  
To doubt would be disloyalty,  
To falter would be sin.

### Preliminaries to The Hague Conference.

All the states invited to the Conference by the rescript of the Russian Emperor accepted the invitation, the last formal acceptance being received by the Russian Government on October 24th, 1898. On January 11, 1899, the Russian Minister sent the following circular letter to the representatives of the states accepting the invitation:

“When, in the month of August last, my august master instructed me to propose to the Governments which have representatives in St. Petersburg the meeting of a Conference with the object of seeking the most efficacious means for assuring to all peoples the blessings of real and lasting peace, and, above all, in order to put a stop to the progressive development of the present armaments, there appeared to be no obstacle in the way of the realization, at no distant date, of this humanitarian scheme.

“The cordial reception accorded by nearly all the Powers to the step taken by the Imperial Government could not fail to strengthen this expectation. While highly appreciating the sympathetic terms in which the adhesions of most of the Powers were expressed, the Imperial Cabinet has been also able to collect, with lively satisfaction, evidence of the warmest approval which has reached it, and continues to be received, from all classes of society in various parts of the globe.

“Notwithstanding the strong current opinion which exists in favor of the ideas of general pacification, the political horizon has recently undergone a decided change. Several Powers have undertaken fresh armaments, striving to increase further their military forces, and in the presence of this uncertain situation, it might be asked whether the Powers considered the present moment opportune for the international discussion of the ideas set forth in the circular of August 12.

"In the hope, however, that the elements of trouble agitating political centers will soon give place to a calmer disposition of a nature to favor the success of the proposed Conference, the Imperial Government is of opinion that it would be possible to proceed forthwith to a preliminary exchange of ideas between the Powers with the object:

"(a) Of seeking without delay means for putting a limit to the progressive increase of military and naval armaments, a question the solution of which becomes evidently more and more urgent in view of the fresh extension given to these armaments; and

"(b) Of preparing the way for a discussion of the questions relating to the possibility of preventing armed conflicts by the pacific means at the disposal of international diplomacy.

"In the event of the Powers considering the present moment favorable for the meeting of a Conference on these bases, it would certainly be useful for the Cabinets to come to an understanding on the subject of the programme of their labors.

"The subjects to be submitted for international discussion at the Conference could, in general terms, be summarized as follows:

"1. An understanding not to increase for a fixed period the present effective of the armed military and naval forces, and at the same time not to increase the Budgets pertaining thereto; and a preliminary examination of the means by which a reduction might even be effective in future in the forces and Budgets above mentioned.

"2. To prohibit the use in the armies and fleets of any new kind of fire-arms whatever, and of new explosives, or any powders more powerful than those now in use, either for rifles or cannon.

"3. To restrict the use in military warfare of the formidable explosives already existing, and to pro-

hibit the throwing of projectiles or explosives of any kind from balloons or by any similar means.

"4. To prohibit the use, in naval warfare, of submarine torpedo boats or plungers, or other similar engines of destruction; to prohibit the construction in the future, vessels with rams.

"5. To apply to naval warfare the stipulations of the Geneva Convention of 1864, on the basis of the additional Articles of 1868.

"6. To neutralize ships and boats employed in saving those overboard during or after an engagement.

"7. To revise the Declaration concerning the laws and customs of war elaborated in 1874 by the Conference of Brussels, which has remained unratified to the present day.

"8. To accept in principle the employment of good offices, of mediation and facultative arbitration in cases lending themselves thereto, with the object of preventing armed conflicts between nations; to come to an understanding with respect to the mode of applying these good offices, and to establish a uniform practice in using them.

"It is well understood that all questions concerning the political relations of States, and the order of things established by Treaties, as in general all questions which do not directly fall within the programme adopted by the Cabinets, must be absolutely excluded from the deliberations of the Conference.

"In requesting you, Sir, to be good enough to apply to your Government for instructions on the subject of my present communication, I beg you at the same time to inform it that in the interest of the great cause which my August Master has so much at heart, His Imperial Majesty considers it advisable that the Conference should not sit in the capital of one of the Great Powers, where so many political interests are centered which might, perhaps, impede the progress of a work



in which all the countries of the universe are equally interested.

"I have, etc.,

(Signed)

"COMTE MOURAVIEFF."

War, he sung, is toil and trouble;  
Honor but an empty bubble;  
Never ending, still beginning,  
Fighting still, and still destroying;  
If the world be worth thy winning,  
Think, oh, think it worth enjoying.  
—Dryden: Alexander's Feast.

### The Hague Selected.

On February 9th, 1899, after consultation with various interested parties, the Russian Minister informed the invited Governments that The Hague, in the Netherlands, would be the seat of the proposed Conference, if there were no objections. No objections were offered, and on April 7, 1899, a formal invitation was extended by the Minister of the Netherlands to each of the invited Powers, which read as follows:

"The Imperial Russian Government addressed on the 12th (24) of August, 1898, to the Diplomatic Representatives accredited to the Court of St. Petersburg, a circular expressing a desire for the meeting of an International Conference, which should be commissioned to investigate the best means of securing to the world a durable peace, and of limiting the progressive development of military armaments.

"This proposal, which was due to the noble and generous initiative of the august Emperor of Russia, and met everywhere with a most cordial reception, obtained the general assent of the Powers, and His

Excellency, the Russian Minister for Foreign Affairs, addressed on the 30th of December, 1898 (11th of January, 1899), to the same Diplomatic Representatives a second circular, giving a more concrete form to the general ideas announced by the magnanimous Emperor and indicating certain questions which might be specially submitted for discussion by the proposed Conference.

"For political reason the Imperial Russian Government considered that it would not be desirable that the meeting of the Conference should take place in the capital of one of the Great Powers, and after securing the assent of the Governments interested, it addressed the Cabinet of The Hague with a view of obtaining its consent to the choice of that capital as the seat of the Conference in question. The Minister for Foreign Affairs at once took the orders of Her Majesty, the Queen, in regard to this request, and I am happy to be able to inform you that Her Majesty, my August Sovereign, has been pleased to authorize him to reply that it will be particularly agreeable to her to see the proposed Conference at The Hague.

"Consequently, my Government, in accord with the Imperial Russian Government, charges me to invite the Government of ..... to be good enough to be represented at the above-mentioned Conference, in order to discuss the questions indicated in the second Russian Circular of the 30th of December, 1898 (11th of January, 1899), as well as all other questions connected with the ideas set forth in the Circular of the 12th (24th of August, 1898), excluding, however, from the deliberations everything which refers to the political relations of States, or the order of things established by Treaties.

"My Government trusts that the ..... Government will associate itself with the great humanitarian work to be entered upon under the auspices of

His Majesty, the Emperor of all the Russias, and that it will be disposed to accept this invitation, and to take the necessary steps for the presence of its Representatives at The Hague on the 18th of May, next, for the opening of the Conference, at which each Power, whatever may be the number of its Delegates, will have only one vote."

On the afternoon of Thursday, the 18th day of May, 1899, the Conference first met in the famous House in the Wood, the Summer Palace of the Dutch Royal Family. It is situated about a mile from the city in a beautiful park.

All men's good  
Be each man's rule, and universal peace  
Lie like a shaft of light across the land,  
And like a lane of beams athwart the sea,  
Through all the circle of the golden year.

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### Membership of the Conference.

The members of the Conference represented the best thought and most active statesmanship of the civilized world. Almost without exception they were men of affairs, who at home had won honor and position by force of character and successful experience in the public service. Many were diplomatists with international reputations; some were scholars and writers of world-wide fame. They were acquainted with history and men, and with the forces that work for progress. They appreciated the passions, and prejudices, and selfishness of humanity, yet knew how to use them for the advancement of civilization. They were practical men with high ideals. Each member realized the importance of the conference in behalf of

mankind, but also recognized his own personal limitations arising from the traditions and ambitions of his own countrymen. They were inspired with enthusiasm, but weighted with responsibility. Paradoxical as it may seem, they were the most intensely radical and at the same time extremely conservative body of men that ever gathered to consider the affairs of men and nations.\*

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### Proceedings of The Hague Conference.

"I will hear what God, the Lord, will speak; for he will speak peace unto his people, and to his saints; but let them not turn again to folly."—Ps. 85-8.

There were one hundred members, and all were present at the formal opening. The Conference was called to order by the Minister of the Netherlands, with the following remarks:

"In the name of Her Majesty, my August Sovereign, I have the honor to bid you welcome, and to express in this place my sentiments of profound respect and lively gratitude toward His Majesty, the Emperor of all the Russias, who in designating The Hague as the meeting place of the Peace Conference has conferred a great honor upon our country. His Majesty, the Emperor of all the Russias, in taking the noble initiative which has been acclaimed throughout the entire civilized world, wishing to realize the desire expressed by one of his most illustrious predecessors—the Emperor Alexander I.—that of seeing all the sovereigns and all the nations of Europe united for the purpose of living as brethren, aiding each other according to their reciprocal needs, inspired by these noble

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\*A list of members of the Conference and nations represented, together with the committee assignments of each, will be found in the appendix.

traditions of his august grandfather, has proposed to all the Governments, of which the representatives are found here, the meeting of a Conference which should have the object of seeking the means of putting a limit to incessant armaments and to prevent the calamities which menace the entire world. The day of the meeting of this Conference will, beyond doubt, be one of the days which will mark the history of the century which is about to close. It coincides with the festival which all the subjects of His Majesty celebrate as a national holiday, and in associating myself, from the bottom of my heart, with all the wishes for the well-being of this magnanimous Sovereign, I shall permit myself to become the interpreter of the wishes of the civilized world, in expressing the hope that His Majesty, seeing the results of his generous designs by the efforts of this Conference, may hereafter be able to consider this day as one of the happiest in his reign. Her Majesty, my August Sovereign, animated by the same sentiments which have inspired the Emperor of all the Russias, has chosen to put at the disposal of this Conference the most beautiful historical monument which she possesses. The room where you find yourselves today, decorated by the greatest artists of the seventeenth century, was erected by the widow of Prince Frederick Henry to the memory of her noble husband. Among the greatest of the allegorical figures which you will admire here, there is one appertaining to the peace of Westphalia, which merits your attention most especially. It is the one where you see Peace entering this room for the purpose of closing the Temple of Janus. I hope, gentlemen, that this beautiful allegory will be a good omen for your labors, and that after they have been terminated, you will be able to say that Peace, which here is shown to enter this room, has gone out for the purpose of scattering its blessings over all humanity. My task is finished. I have the honor to submit to you two propositions: First, to offer to His

Majesty, the Emperor of all the Russias, our respectful congratulations by telegraph in these words: 'The Peace Conference places at the feet of Your Majesty its respectful congratulations on the occasion of Your Majesty's birthday, and expresses its sincere desire of co-operating in the accomplishment of the great and noble work in which Your Majesty has taken the generous initiative, and for which the Conference requests the acceptance of its humble and profound gratitude.'

"My second proposition will be met with equal favor. I wish to be permitted to express the desire that the Presidency of this assembly be conferred upon His Excellency, M. de Staal, Ambassador of Russia."

These motions having been carried unanimously, His Excellency, M. de Staal, took the presidential chair with the following speech:

"Gentlemen: My first duty is to express to His Excellency, the Minister of Foreign Affairs of the Netherlands, my gratitude for the noble words which he has just addressed to my August Master. His Majesty will be profoundly touched by the high sentiments by which M. de Beaufort is inspired, as well as with the spontaneity with which they have been approved by the members of this high assembly. If the Emperor of Russia has taken the initiative for the meeting of this Conference, we owe it to Her Majesty, the Queen of the Netherlands, that we have been called together in her capital. It is a happy presage for the success of our labors that we have been called together under the auspices of a young Sovereign whose charm is known far and near, and whose heart, open to everything grand and generous, has borne witness to so much sympathy for the cause which has brought us here.

"In the quiet surroundings of The Hague, in the midst of a nation which constitutes a most significant factor of universal civilization, we have under our eyes

a striking example of what may be done for the welfare of people by valor, patriotism, and sustained energy. It is upon this historic ground of the Netherlands that the greatest problems of the political life of States have been discussed; it is here, as one may say, that the cradle of the science of International Law has stood; for centuries the important negotiations between European Powers have taken place here, and it is here that the remarkable treaty was signed which imposed a truce during the bloody contests between States. We find ourselves surrounded by great historic traditions.

"It remains for me to thank the Minister of Foreign Affairs of the Netherlands for the too flattering expressions which he has used about me. I am certain that I express the impulse of this high assembly in assuring His Excellency, M. de Beaufort, that we should have been happy to see him preside over our meetings. His right to the Presidency was indicated not only by precedents followed on like occasions, but especially by his qualities as the eminent statesman who now directs the foreign policy of the Netherlands. His Presidency would, besides, be one more act of homage which we should love to pay to the August Sovereign who has offered us her gracious hospitality.

"As for myself, I cannot consider the election which has been conferred upon me otherwise than as a result of my being a plenipotentiary of the Emperor, my Master—the august initiator of the idea of this Conference. Upon this ground I accept, with profound thanks for the high honor which the Minister of Foreign Affairs has conferred upon me in proposing my name, and which all the members of the Conference have so graciously ratified. I shall employ all my efforts to justify this confidence, but I am perfectly aware that the advanced age which I have attained is, alas, a sad privilege and a feeble auxiliary. I hope at least, gentlemen, that it may be a reason for your indulgence.

"I now propose to send to Her Majesty, the Queen, whose grateful guests we are here, a message which I shall now read:

"'Assembled for the first time in the beautiful House of the Woods, the members of the Conference hasten to place their best wishes at the feet of Your Majesty, begging the acceptance of the homage of their gratitude for the hospitality which you, madame, have so graciously deigned to offer them.'

"I propose to confer the Honorary Presidency of the International Peace Conference upon His Excellency, the Minister of Foreign Affairs of the Netherlands, and to name as Vice President of this assembly the Jonkheer van Karnebeek, First Delegate of the Netherlands."

After the President's speech the following officers were chosen: Secretary General, Jonkheer J. C. N. Van Eys of Holland; Assistant Secretary General, M. Raffolovich of Russia; Secretaries, M. Albert Legrand of France, M. Edouard de Grelle Rogier of Belgium, Chevalier W. de Rappard of Holland, Jonkheer A. C. Schimmelpenninck of Holland, M. Max Jarousse de Sillac of France, and Jonkheer J. J. Rochusen of Holland; Assistant Secretaries, G. J. C. A. Pop and Lieutenant C. E. Dittlinger.

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### The Second Session.

At the second session of the Conference the President made a speech in which he summarized its objects and tendencies as follows:

"To seek the most efficacious means to assure to all peoples the blessings of a real and durable peace; this, according to the circular of the 12th (24th) of August, is the principal object of our deliberations. The name of Peace Conference, which the instincts of the people,



anticipating a decision on this point by the Governments, has given to our assemblage, indicates accurately the essential objects of our labors. The Peace Conference must not fail in the mission which devolves upon it; it must offer a result of its deliberations which shall be tangible, and which all humanity awaits with confidence. The eagerness which the Powers have shown in accepting the proposition contained in the Russian circular is the most eloquent testimony of the unanimity which peaceful ideas have attained. It is, therefore, for me an agreeable duty to ask the delegates of all the States represented here to transmit to their respective Governments the repeated expressions of thanks of the Russian Government. The very membership of this assemblage is a certain guarantee of the spirit in which we approach the labor which has been confided to us. The Governments are represented here by statesmen who have taken part in shaping the destiny of their own countries; by eminent diplomats who have been concerned in great negotiations, and who all know that the first need of peoples is the maintenance of peace. Besides these, there will be found here savants who in the domain of international law enjoy a justly merited renown. The general and superior officers of the armies and navies who will help us in our labors will bring to us the assistance of their high competence. Diplomacy, as we all know, has for its object the prevention and the appeasement of conflicts between states; the softening of rivalries, the conciliation of interests, the clearing up of misunderstandings, and the substitution of harmony for discord. I may be permitted to say that in accordance with the general law, diplomacy is no longer only an art in which personal skill enjoys exclusive prominence. It is tending to become a science, which should have its own fixed rules for the solution of international conflicts. This is today the ideal object which ought to be before our eyes, and indisputably a great progress would be

accomplished if diplomacy should succeed in establishing here even some of the results of which I have spoken.

"We shall also undertake in a special manner to generalize and codify the practice of arbitration, of mediation, and of good offices. These ideas constitute, so to speak, the very essence of our task. The most useful object proposed for our efforts is to prevent conflicts by pacific means. It is not necessary to enter the domain of Utopia. In the work which we are about to undertake, we should take account of the possible, and not endeavor to follow abstractions. Without sacrificing anything of our ulterior hopes, we should here remain in the domain of reality, sounding it to the deepest depth for the purpose of laying solid foundations and building on concrete bases. Now what does the actual state of affairs show us? We perceive between nations an amount of material and moral interests which is constantly increasing. The ties which unite all parts of the human family are ever becoming closer. A nation could not remain isolated if it wished. It finds itself surrounded, as it were, by a living organism fruitful in blessings for all, and it is, and should be, a part of this same organism. Without doubt, rivalries exist; but does it not seem that they generally appertain to the domain of economics, to that of commercial expansion which originates in the necessity of utilizing abroad the surplus of activity which cannot find sufficient employment in the mother country? Such rivalry may do good, provided that, above it all, there shall remain the idea of justice and the lofty sentiment of human brotherhood. If, therefore, the nations are united by ties so multifarious, is there no room for seeking the consequences arising from this fact? When a dispute arises between two or more nations, others, without being concerned directly, are profoundly affected. The consequences

of an international conflict occurring in any portion of the globe are felt on all sides. It is for this reason that outsiders cannot remain indifferent to the conflict—they are bound to endeavor to appease it by conciliatory action. These truths are not new. At all times there have been found thinkers to suggest them and statesmen to apply them, but they appertain, more than ever before, to our own time, and the fact that they are proclaimed by an assembly such as this, marks a great date in the history of humanity.

“The nations have a great need for peace, and we owe it to humanity—we owe it to the Governments which have here given us their powers, and who are responsible for the good of their peoples—we owe it to ourselves to accomplish a useful work in finding the method of employing some of the means for the purpose of insuring peace. Among those means arbitration and mediation must be named. Diplomacy has admitted them in its practice for a long while, but it has not fixed the method of their employment, nor has it defined the cases in which they are allowable. It is to this high labor that we must concentrate our efforts—sustained by the conviction that we are laboring for the good of all humanity, according to the way which preceding generations have foreseen, and when we have firmly resolved to avoid chimeras, when we have all recognized that our real task, grand as it is, has its limits, we should also occupy ourselves with another phase of the situation. From the moment when every chance of an armed conflict between nations cannot be absolutely prevented, it becomes a great work for humanity to mitigate the horrors of war. The governments of civilized States have all entered into international agreements, which mark important stages of development. It is for us to establish new principles; and for this category of questions the presence of so many persons of peculiar competence at this meeting

cannot be otherwise than most valuable. But there are, besides these, matters of very great importance, and of great difficulties, which also appertain to the idea of the maintenance of peace, and of which a consideration has seemed to the Imperial Government of Russia a proper part of the labors of this Conference. This is the place to ask whether the welfare of peoples does not demand a limitation of progressive armaments. It is for the governments to whom this applies to weigh in their wisdom the interests of which they have charge.

"These are the essential ideas, gentlemen, which should in general guide our labors. We shall proceed, I am sure, to consider them in a lofty and conciliatory spirit, for the purpose of following the way which leads to a consolidation of peace. We shall thus accomplish a useful work, for which future generations will thank the sovereigns and heads of state represented in this assembly.

"One of our preliminary duties in order to insure the progress of our work is to divide our labors, and I therefore beg to submit for your approval the following proposal: Three Committees shall be appointed. The first committee shall have charge of the Articles 1, 2, 3 and 4 of the Circular of December 30, 1898. The second committee of Articles 5, 6 and 7. The third committee shall have charge of Article 8 of the said Circular, and each committee shall have power to subdivide itself into sub-committees.

"It is understood that outside of the aforementioned points the Conference does not consider itself competent to consider any other question. In case of doubt the Conference shall decide whether any proposition originating in the committee is germane or not to the points outlined. Every State may be represented upon every committee. The First Delegates shall designate the members of the respective delegations who shall be

members of each of the committees. Members may be appointed upon two or more committees. In the same manner as in the full Conference, each State shall have but one vote in each committee. The Delegates, representing the Governments, may take part in all the meetings of the committees. Technical and scientific Delegates may take part in the full meetings of the Conference. The committees shall appoint their own officers and regulate the order of their labors."

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### Other Sessions of the Conference.

The Conference held ten sessions, of which two have been described. At a third session, on May 23rd, the various committees were announced. At the fourth session, on June 20th, the Second Committee made a report, which was adopted. At the fifth session, on July 5th, the Second Committee made another report, which was adopted. On July 21st there was held the sixth session, at which the First Committee made a report, which was adopted, and on July 25th the Third Committee made a report, which was adopted. The eighth and ninth sessions were held on July 27th and 28th, and were devoted to discussions of the Final Act. On July 29th was held the tenth and final session for signatures of the Treaties.

1. The Final Act of the Conference was signed by all the Powers there represented.

2. Treaties:

- (a) The Convention for the Peaceful Adjustment of International Differences was signed by sixteen Powers, to-wit: Belgium, Denmark, Spain, United States of America, United States of Mexico, France, Greece, Montenegro, Netherlands, Persia, Portugal,

Roumania, Russia, Siam, Sweden and Norway, Bulgaria.

(b) The Convention on the Laws and Customs of War on Land was signed by fifteen powers, to-wit: Belgium, Denmark, Spain, United States of America, France, Greece, Montenegro, Netherlands, Persia, Portugal, Roumania, Russia, Siam, Sweden and Norway, Bulgaria.

(c) The Convention for the Extension of the Principles of the Geneva Convention to Naval Warfare was signed by fifteen Powers, to-wit: Belgium, Denmark, Spain, United States of Mexico, France, Greece, Montenegro, Netherlands, Persia, Portugal, Roumania, Russia, Siam, Sweden and Norway, Bulgaria.

3. Declarations:

(a) Concerning the Prohibition of the Throwing of Projectiles from Balloons. This was signed by seventeen Powers, to-wit: Belgium, Denmark, Spain, United States of America, United States of Mexico, France, Greece, Montenegro, Netherlands, Persia, Portugal, Roumania, Russia, Siam, Sweden and Norway, Turkey, Bulgaria.

(b) Concerning the Prohibition of the Use of Projectiles containing Asphyxiating Gas. This was signed by sixteen Powers, to-wit: Belgium, Denmark, Spain, United States of Mexico, France, Greece, Montenegro, Netherlands, Persia, Portugal, Roumania, Russia, Siam, Sweden and Norway, Turkey, Bulgaria.

(c) Concerning the Prohibition of Bullets which Expand, etc. This was signed by fifteen Powers, to-wit: Belgium, Denmark, Spain, United States of Mexico, France, Greece, Montenegro, Netherlands, Roumania, Russia, Siam, Sweden and Norway, Turkey, Bulgaria.

The good results of the Conference at The Hague can hardly be over-estimated. It did not accomplish all that its originators and advocates hoped and expected,

but it marks an epoch in the development of civilization and the uplifting of mankind. It codified the laws of war and, as far as possible, made war more humane. It increased the desire of mankind for peace, and increased the respect of humanity for the methods of peace. Above all, it bound together the civilized powers in a federation for extending justice and establishing a permanent International Court of Arbitration. Its members were men great and good, who in the future will occupy a higher niche in the Temple of Fame than many Generals and Admirals whose armies and navies have destroyed cities and overthrown empires. The progress of the human race will surely end in universal peace.

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Written and compiled from the United States document of the Hague Conference of Arbitration.

## CHAPTER VI.

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### **Arbitrations, and the Distinction Between Mediation and Arbitration.**

It is important from the practical as well as from the theoretical side of the matter, to keep in view the distinction between arbitration and mediation—a distinction either not understood or else lost sight of by many of those who have undertaken to discuss the one object or the other. Mediation is an advisory, arbitration a judicial, function. Mediation recommends, arbitration decides; and while it doubtless may be true that nations have for this reason, on various occasions, accepted mediation when they were unwilling or reluctant to arbitrate, it is also true that they have settled by arbitration questions which mediation could not have adjusted. It is, for example, hardly conceivable that the question of the Alabama claims could have been settled by mediation. The same thing may be said of many boundary disputes. In numerous cases the efforts of mediators have been directed, and successfully directed, to bring about an arbitration as the only means of putting an end to controversy.

But, while bearing in mind the distinctively judicial character of arbitration, it would not be proper to minimize the importance of mediation as one of the forms of amicable negotiations. The Congress of Paris of 1856, as well as the Congo Conference of 1884, made a declaration in favor of systematic mediation.



### Early Arbitrations.

"Glory to God in the highest, and on earth peace, good will toward men."—Luke 2-14.

In ancient times, when war constituted the normal state of peoples, and the foreigner was everywhere treated as an enemy, arbitrations were necessarily rare, and we do not find either a general system or harmonious rules governing the subject. There were a few cases of arbitration in the East and in Greece, but the mode of procedure was not suited to the temperament of the people, and, after the peace of Rome was established, with the civilized world under one government, there was no place for it, since arbitration presupposes a conflict between independent states.

In the Middle Ages, owing to the peaceful influence of the church, arbitrations were more frequent, and yet their influence was far from producing all the results which might have been expected, perhaps because Europe was then divided into a great number of petty states, or because the rude manners of the period were intolerant of the idea of conciliation.

Later history does not present many cases of arbitration, for the ambition of princes does not, any more than did that of the Roman people, adapt itself to pacific remedies in conflicts in which they hope to gain an advantage by force of arms. Absolute monarchy is essentially warlike; it rarely turns aside from the objects which it pursues, although it has not, as Rome did, either forced its yoke on all nations, or fallen under the combined assault of those whom it has sought to subjugate.

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### Arbitration in the East and Greece.

Exact historical ideas on the subject of international arbitration among the peoples of the East are

somewhat deficient, and the saying that one ought to hesitate to risk himself on unsettled ground seems applicable to our present subject. Here are two instances which appear exact enough. Herodotus relates that during the lifetime of Darius a contest arose between Artabazanes and Xerxes, and that Darius decided in favor of the latter. After the death of Darius, the judgment of the deceased King not being definitive, and the feelings of the people being somewhat divided, they consented to submit the matter to the decision of the uncle of the two pretenders, Artabanus or Artaphernes, who, in the capacity of a judge, decided in favor of Xerxes. Herodotus also relates that after the defeat of the Ionians, Artaphernes, Satrap of Sardis, sent for the deputies of the cities, and made them sign a contract, or a treaty, to the effect that in case of conflict they would settle it by law rather than by means of arms.

The Greeks often resorted to arbitration, but they practiced it among themselves and not with foreign nations, for, like other ancient peoples, they regarded foreigners as barbarians, and treated them as enemies. Besides, their arbitrations did not cover great political questions, for every Greek city preserved its independence with jealous care. They related to disputes touching religion, commerce, boundaries, and the possession of contested territories, especially of the numerous islands scattered among the Grecian seas. The following are some decisions by arbitration bearing on these different points:

In the time of Solon, five Spartans were chosen to decide between the Athenians and the Megarians, on the subject of the possession of the Island of Salamis. About the year 416 B. C., Argive judges acted as arbitrators as to certain islands of which the Cimolians and the Melians disputed ownership. The Etolians rendered an arbitral sentence on a question of bound-

ary between the cities of Melite and Pera, in Thessaly. Themistocles determined a dispute between the Corinthians and the Corcyraeans about Leucas, deciding that the peninsula should be held in common upon the payment of twenty talents by the Corinthians. During the reign of Antigone the inhabitants of Lebedos, having been forced to leave their country, settled in Teos; and certain questions which arose between the old and the new people of the latter city were adjusted by the City of Mitylene, appointed as arbitrator by the King Antigone.

We may point out finally the arbitration of the Sicyonians, on the occasion of an unexpected difference between the Athenians and the Oropians, which arose in the following manner: The City of Oropus, which was situated on the confines of Boeotia and Attica, and which was the subject of a quarrel between the Boeotians and the Athenians, was allotted to the latter by Philip II. after the battle of Cheronea. Driven by necessity, says Pausanias, the Athenians pillaged the city to which they owed protection. The Oropians appealed to the Roman Senate, who delegated the Sicyonians as arbitrators, and they condemned the Athenians to pay five hundred talents as a penalty, which was reduced to one hundred, owing to the intercession of an embassy of three philosophers who were sent by Athens to Rome. This sum was not paid and the Oropians consented to receive an Athenian garrison, and to give hostages, reserving the right to recall them if they gave new grounds for complaint. This deceitful bargain, says Barbeyrac, was the occasion of a war which broke out later between the Romans and the Achaeans—a war which entailed the loss of what was left of the liberty of Greece.

The procedure employed in the arbitrations of the Greeks was like that which is ordinarily observed. The agreement designated the arbitrator and the subject of

the litigation; the arbitrator named the time and place of the decision, and the parties sent commissioners to defend their cause. The arbitrator, who was bound in the most solemn manner scrupulously discharge his trust, conducted the business with religious care, heard the interested parties, and received their proofs. The sentence, drawn up in duplicate, was usually deposited in the temple or other public places, and both sides bound themselves by oaths to execute it.

Arbitration was regarded with favor both by the historians and by the statesmen of Greece. Thucydides praised it in his history of the Peloponnesian war, and mentions with approval the words of the King of Sparta, who said: "It is impossible to attack as a transgressor him who offers to lay his grievance before a tribunal of arbitration." "The employment of arbitrators," says M. Laurent, "was a distinctive trait of the Greek race." Victors crowned with the pacific laurel, and poets, also, had among the Greeks that influence which elsewhere accompanied rank and power. It was for this reason that Pontarcus, a noted wrestler, served as an intermediary between the Eleans and the Archaïans; that Puttalus, victor of the Olympian games, filled the same role between the Arcadians and the Eleans; that the poet Simonides prevented an imminent war between Hiero of Syracuse, and Theron, of Argigentium. Sometimes friendly cities were chosen as arbitrators. The Oracle of Delphi was in several cases called on to decide disputes, and it readily counselled arbitration. Thus in a discussion which arose in 550 between the Kings of the Cyrenians, it advised them to choose as arbitrator a citizen of Mantinea, and a certain man called Demonax was designated to discharge in that capacity the functions designated by the oracle.

The Greeks recognized the use of the arbitral clause, of which we will speak hereafter. A treaty of

alliance between Argos and Lacedaemonia contained at the end a clause which provided that, if a contention should arise between the two allied cities, they should select an impartial city as arbitrator. There was an agreement between the cities of Hyerapytna and Priansus which stipulated that in regard to the injuries already done on either side, Enipan and Neon, the "cosmes" or chief magistrates of Crete, should settle the disputes arising from these causes before a tribunal selected from each city. In regard to any future injuries they should commit they should employ lawyers prescribed in the order of the public edict. The "cosmes" should also indicate the city from which both parties should appoint the arbitrators.

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### Arbitration in the Roman Empire.

The Greek states, as we have seen, had recourse to arbitration only among themselves. Rome, on the other hand, never consented to arbitrate her disputes with neighboring countries. Like Greece, in this respect, she regarded the foreigner as an enemy; and from her origin to the culmination of her greatest splendor, she aspired to universal dominion, and devoted to that end her foreign policy. If she made treaties of peace, of friendship, or of alliance with other peoples, it was always with the hope of subjection at some future time. The Roman state was afraid that it might see itself impeded in its projects of conquest by a decision conforming to common right. Besides, the Romans would have considered it an abasement to submit to the judgment of another power. When the Rhodians proposed their mediation to keep Perseus on the throne, the Senate received their proposition with sovereign contempt; and Titus Livius says that,

even in his time, the very remembrance of the incident excited indignation. Nations formerly most tenacious of their independence, and who nominally were living in freedom, were the first to prostrate themselves before the grandeur of Rome, hoping to avert by their complete humility their future servitude. The pretension of Rome to be superior to other nations, which is the very negation of the idea of arbitration, realized itself completely when she became mistress of the world. Peoples lying dormant in the peace of Rome could no longer assume to formulate against her demands to be submitted to arbitrators. Equal rights, which might lead to conflicts, could not exist between a sovereign and his subjects, and they could only present petitions. In truth, the Senate at first; the Emperor, finally, as absolute arbitrators of all claims, gave audience to all deputies of peoples who had petitions to present, and who came as suppliants to ask for justice; for example, against the exactions of the governors of provinces. They were also the natural judges of conflicts which might arise between the different peoples subject to Roman authority. And the custom of making the Senate arbitrator was introduced even among independent nations, who were fascinated by the splendor of the Roman name. But it does not seem that the Romans played the role of arbitrator in very good faith, and their behavior might serve as a precedent for La Fontaine's fable, "The Oyster and the Advocates." In one case the Romans were arbitrators of some question of boundary between the Aricans and the people of Ardea and they decided the point at issue by seizing the disputed territory themselves. There was a similar case about 180 B. C. between Nola and Naples. Cicero justly condemns this course, which he styles miserable trickery.

### Arbitration in the Middle Ages and in More Recent Times.

The practice of arbitration seems to have obtained in the barbarian world. Procopius cites the example of the Gepidae proposing arbitration to the Lombards, and declaring it to be unjust to use violence toward those who demanded a judge. Again, Cassiodorus relates that the ambassadors of Theodoric, King of the Ostro-Goths, carried letters from their master to the Kings of the Herulians and Varnes. Their mission was to beg those princes to join them and the envoys of Gondebaud in inviting Clovis, King of the Franks, to cease his wars against the Visigoths and to accept the arbitration of the united kings. This entreaty was not in vain, and Clovis consented to such an arrangement.

That which characterizes the period which followed the establishment of barbarians on the ruins of the Roman Empire was the great tie which Christianity created between nations bound together by one religious doctrine. The church at this time assumed a preponderating influence, and the Bishops of Rome now became the real sovereigns of the Catholic world. Owing to the powerful impulse given to their action by Gregory VII., the Popes by degrees accepted the idea that they were placed above sovereigns and were the representatives of God on earth. In virtue of their Divine power the Roman pontiffs, recognized everywhere as the delegates of God, from whom all sovereignty emanates, considered themselves judges of all cases and evoked to their tribunal all differences between peoples and kings. Innocent III. declared that the Pope was the sovereign mediator on earth. When Philip Augustus opposed his claims he still more strongly affirmed the contested right, in virtue of the idea that peace is a duty of Christians and that the

head of the church ought to have the power to impose it upon them.

While these claims belong to the order of ideas which especially prevail in the domain of conscience, it cannot be denied that the Church powerfully contributed to the progress of civilization by embracing the cause of the weak against the strong, and by strengthening ideas of peace and concord, which were so rare in those days of violence and constant wars. The principle of pontifical sovereignty had so entered into the manners of the times that Popes were often chosen also as voluntary arbitrators. It has sometimes been said that their intervention, whether spontaneous or specially invoked, was more frequently employed in matters of private interest and internal policy, than of actual international conflict. This may have been so in many instances, but it cannot be denied that they were also called upon to decide litigations much more important, as certain examples will readily show. Popes Alexander III., Honorius III., John XXII., Gregory XI., were chosen as arbitrators in quarrels which agitated Europe; and Pope Alexander VI., by a decision of arbitration which is still celebrated, traced an imaginary line from pole to pole, dividing between the Spaniards and the Portuguese the possession of all countries discovered in the new world. And even after the schism of England, when the Papacy had lost Teutonic and Gallo-Teutonic Europe, and when Gallo-Romanic Europe was itself formed, the prestige of the Popes was still so great that it forced itself on the Poles and the Muscovites.

But acts of opposition, which began to appear on the part of kings before the sixteenth century, were accentuated after that time, and the choice of the Pope as arbitrator became less frequent; and the interest of the Papacy in the cause which it had so ardently espoused in the Middle Ages, became less effective.



When, therefore, the treaty of Vervins of 1598 submitted to the arbitration of the reigning Pope, the pretensions of the King of France, Henri III., and of Charls Emanuel, Duke of Savoy, to the Marquisate of Saluces, Clement VIII., worn out by the continued plots of Charles Emanuel, declared that he would resign his mission. But we should not omit to mention, in the seventeenth century, the arbitration of Gregory XV. on the subject of the forts of the "Val-teline"; and, also, in the eighteenth century, that of Pope Clement XI., who gave the casting vote as umpire between Louis XIV. and Leopold I., who were instituted as arbitrators by Article 8 of the treaty of Ryswick.

Religious sentiment, which had raised to so high a pitch the power of the Pope, naturally augmented, though in a less degree, the influence of the Bishops, and we find a number of cases in history in which they were chosen as arbitrators. We may refer to the treaty of Nonancourt, of 1177, which designated three Bishops as arbitrators between Louis le Jeune and Henry II. of England, on the subject of Auvergne, Chateauroux, and other fiefs. In 1276, two Bishops and a warrior were nominated as judges between the Kings of Hungary and Bohemia. On the 9th of August, 1475, all the grounds of disagreement between Louis XI. and Edward IV. of England were referred to the Archbishop of Paris and the Count of Dunois on the part of France, and to the Archbishop of Canterbury and the Duke of Clarence on the part of England.

The rivals of the Popes in their struggles for universal supremacy were the Emperors of Germany, who considered themselves the successors of the Roman Caesars. The celebrated conflict between the priesthood and the empire, the spiritual and the temporal power, filled the second half of the Middle Ages; and the two principal episodes were the war concerning

investitures and the struggle between the Guelphs and the Ghibellines. The inclination of the Holy Empire to universal domination caused the Emperors to attempt, as the Popes had done, to constitute themselves arbitrators between Kings. But in this they did not succeed; and history records only a few instances of arbitration in which they figured as judges. And even when they were accepted as arbitrators, everything was carefully excluded which might have implied their supremacy over other monarchs. Putter relates that when in 1378 the Emperor Charles IV. went to Paris to decide the old controversy between France and England, these nations apparently recognized this as his prerogative, as arbitrator, but carefully avoided everything which could imply a right of supreme jurisdiction, belonging to him over Kings.

Beside the religious influence of the Popes, we should place, as having contributed during the Middle Ages to the development of arbitration, feudalism, which, while extending itself over all Europe, naturally predisposed vassals to accept their lords as judges of their respective grievances. The most eminent of these lords, the Kings, were often chosen as arbitrators, chiefly the Kings of France. Saint Louis was constituted judge between Henry III. of England and his barons, in 1263, and between the Counts of Luxemburg and of Bar in 1268. Owing to his great wisdom and to the authority of his character, Louis IX., says M. Lacoïnta, rivalled the Papacy in the role of conciliator and arbitrator. Philip VI., Charles V., Charles VII., and Louis XI. were all chosen arbitrators. The other monarchs of Europe filled the role, though not so often, notably the Kings of England, Henry II. and William III. But the commission of arbitration was not generally confided to sovereigns from whom were apprehended attempts at absolute domination, after

the manner of the German Emperors, and it was for this reason that Philip II. proposed himself in vain as arbitrator between France and England.

Occasionally a city assumed the duties of arbitrator, but such occasions were rare. The treaty of Westminster of October 23, 1655, which re-established friendly relations between France and the commonwealth of England, stipulated, in Article 24, probably because of the preference of Cromwell, that the republic of Hamburg should act as arbitrator between the two countries and decide the question of damages on both sides from the year 1640. We may also cite, in 1665, the arbitration of the Grand Council of Malines, between Frederick William, elector of Brandenburg, and the States-General, concerning the obligation of a debt called the debt of Hojyser; and that of the States-General of the United Provinces, concerning dissensions relating to fortified places and auxiliary points, between France and Spain, after the peace of Nimeguen.

The parliaments of France, renowned for their wisdom and equity, were chosen to settle disputes between foreign sovereigns.

Besides Popes, Kings, cities and great constituted bodies, we may mention commissions of arbitration instituted by parties on proportions fixed in advance and invested with full power over particular subjects.

Again, some eminent jurist, specially renowned for his judicial knowledge, was consulted. "The doctors of the Italian universities of Perugia and Padua, and particularly of the celebrated University of Bologna, were," says Wheaton, "on account of their fame and their knowledge of law, often employed as diplomatists or arbitrators, to settle conflicts between the different states of Italy. They were employed to determine the question of the right of the House of Farnese to the succession to the throne of Portugal."

One of the most illustrious of them, Alciat, decided upon the rights of sovereignty and of independence of the different principalities of Italy and of Germany. In France, Jean Begat, councillor of the parliament of Dijon, was chosen as arbitrator between the King of Spain and Switzerland, in relation to Franche Comte, in 1570.

Under the influence of religious and feudal ideas arbitrations were very frequent in the Middle Ages, which afford the remarkable spectacle of conciliation and peace making their way amid the most warlike populations that have ever existed. They were especially frequent in Italy, where in the thirteenth century there were not less than a hundred between the princes and inhabitants of that country. But when the Papacy had renounced its rule over civil society and absolute monarchies gradually became established in Europe on the ruins of feudalism, arbitrations became more rare. They diminished during the course of the fourteenth and fifteenth centuries, and it is stated that from the end of the sixteenth century till the French Revolution, they had almost disappeared from international usage. Nevertheless, says Kluber, to judge by manifestoes and proclamations, no sovereign ever went to war without having made every effort to prevent it. Why, then, he asks, did they not seek arbitration? Kluber, says Kamarowski, did not answer this question; but the answer may be found in these words of Rousseau: "Could they submit themselves to a tribunal of men who boasted that their power was founded exclusively on the sword and who bowed down to God only because he is in heaven?"

If we should try to find judicial rules that governed arbitration in the different periods at which we have glanced, we should discover that they did not present great stability, and that they varied with different litigations. The choice of arbitrators fell generally on

monarchs, and exceptionally or arbitral commissions or private individuals. A period was sometimes fixed either for the meeting of the arbitrators (the treaty of Vervins of 1598, Article 17, provided that it should take place in six months) or for the rendering of the decision (the Treaty of Westminster of 1655 allowed six months and a half). Sometimes a penal clause was inserted by which a penalty was imposed on the party who refused to submit to the decision; for example, the treaty of the 9th of August, 1475, between Louis XI. and Edward IV., prescribed a sum of three million francs.

The procedure, also, varied according to the case, but it usually afforded certain guarantees and was invested with a certain judicial aspect. In the dispute relating to Montferrat, between the Dukes of Savoy and Mantua and the Marquis of Saluces, Charles V. empowered certain persons to examine the matter, and with their advice rendered his judgment. In the presence of these delegates the lawyers of the litigants appeared and argued, either about the whole of Montferrat or some of its territories or special rights. First, the Emperor decided on the principal object of the dispute, and allotted Montferrat to the Duke of Mantua; next he settled the question of the dowry of Blanche of Savoy, for the guaranty of which he set apart certain sureties; and finally he decided concerning the gift of a marriage portion. The restoration of the possession of the Duke of Mantua was made conditional on his furnishing sufficient securities to the Emperor. The parties were ordered to repair to the imperial court, and there to receive the final decision, which settled forever the question between the possessor and the petitioner.

The arbitral clause or stipulation for the arbitration of difficulties that may arise, does not appear to have been frequent in the Middle Ages, or in later times,

though we have had occasion to cite some examples of it. It seems, however, to have been in use between the commercial cities of Italy. Vattel relates that the Swiss, in the alliance which they contracted, whether among themselves or with foreign peoples, had recourse to it; and he justly praised them for it. We may cite two applications of it in the case of the cities of Italy and the Swiss Cantons. In a treaty of alliance concluded in 1235, between Genoa and Venice, there is an article which reads thus: "If a difficulty should arise between the aforesaid cities, which can not easily be settled by themselves, it shall be decided by the arbitration of the Sovereign Pontiff; and if one of the parties violate the treaty, we agree that His Holiness shall ex-communicate the offending city." The treaty signed in 1516, between Francis I, and the Swiss Cantons, which was known by the name of the "Perpetual Peace," contains the following clause: "Difficulties and disputes that may arise between the subjects of the King and the inhabitants of the Swiss Cantons, shall be settled by the judgment of four men of standing, two of whom shall be named by each party; which four arbitrators shall hear, in an appointed place, the parties or their attorneys; and, if they shall be divided in opinion, there shall be chosen from the neighboring countries an unbiased man of ability, who shall join with the arbitrators in determining the question. If the matter in dispute is between the subjects of the Cantons and the Leagues and the King of France, the Cantons will examine the demand, and, if it is well founded, they will present it to the King; but if the King is not satisfied with it, they may call the King before the arbitrators, who shall be selected from among impartial judges of the countries of Coire or of Valois, and whatever shall be decided by the aforesaid judges, by a judicial or amicable sentence, shall be inviolably observed without any revocation." M. de Flassan says that these stipulations were worthy of

remark as examples of good faith and true wisdom. He adds that this treaty of perpetual peace was the basis of numerous alliances, which from this date took place between France and the Swiss Cantons.

Let us finally add that in arbitrations anterior to the seventeenth century, it is often very difficult, sometimes impossible, clearly to separate cases of mediation from those of arbitration, either because the terminology was not very definite or the expressions used were equivocal, or because the distinction was not clear to the minds of the negotiators. Thus the Bishops chosen to settle pending difficulties between Louis XI. and Edward IV. of England were styled arbitrators or amicable mediators.

In 1334 Philip of Valois declared himself elected judge, negotiator, and arbitrator between the King of Bohemia, the Princes of Germany, and the Duke of Brabant. Sometimes the mediation was of an obligatory nature, owing to the fear inspired by the mediator's being able to impress his views by force of arms. Thus Henri IV. acted as mediator between the Republic of Venice and Pope Paul V. The Pope counted on Spain's sustaining him; but Henri IV., in order to oppose the forces of that country, made propositions to the Swiss to raise ten thousand men; so that the Pope was finally obliged to submit to the will of the French King.

But from the year 1593 we find the distinction between mediation and arbitration clearly defined by the French ministers, who interposed between the Protestants and Catholics, at this time on the point of coming to blows on the subject of the expulsion of Catholic magistrates from Aix-la-Chapelle, and of their replacement by a Protestant magistracy. "We declare to you," say the ministers on the part of His Majesty (the King of France) "that he has no design of prejudicing the authority and the rights of the Emperor,

of the Empire, of any prince, or of any person ; and in order that the pending dispute may be discussed in an easy and orderly way, we invite you respectively to depute peaceable and dispassionate men, who can confer with us in all confidence and safety, and we will listen patiently to whatever they may say and propose, not as judges or arbitrators, but as mediators and amicable compositors."

History and Digest of International Arbitrations, House of Representatives, U. S. A. Second Session of the Fifty-third Congress.



## CHAPTER VII.

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### ARBITRATIONS BETWEEN THE UNITED STATES AND OTHER NATIONS.

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The Government of the United States has always exercised a potent influence upon the development of international law. In the early years of its existence, when the rights of neutrals were little respected, Mr. Jefferson, as Secretary of State under Washington, announced for its guidance certain rules of neutral duty so broad and progressive that succeeding generations have followed them. By persistent effort it has secured a wide recognition of the right of expatriation. It has also contributed to the system of extradition. It has constantly lent the weight of its influence and example to the substitution of reason for force in the adjustment of disputes among nations. International arbitration has always been a prominent feature of its policy.

The first trial by the United States of the method of arbitration was made under the treaty with Great Britain of 1794, commonly called the Jay treaty, which by its fifth, sixth, and seventh articles, respectively, provided for three mixed commissions. That under the fifth article was organized to settle a dispute as to what river was intended under the name of the River St. Croix, which was specified in the Treaty of Peace of 1783 as forming part of our northeastern boundary. The Commission was composed of three members,

each Government appointing one, and these two choosing a third. The first meeting was held at Halifax, August 30, 1796, and in order to attend it the American commissioner was forced to hire a vessel specially to transport him from Boston to Halifax, since no commercial intercourse was at the time allowed between the United States and British North America in American bottoms, and there was risk of interruption by hostile cruisers if he sailed in a pacific vessel, Great Britain being then at war with France. The Commissioners rendered an award at Providence, R. I., October 25, 1798, holding that the Schooldiac was the river intended under the name of the St. Croix.

The Commission under the sixth article of the Jay Treaty was organized to determine the compensation due to British subjects in consequence of impediments which certain of the United States had, in violation of the provisions of the Treaty of Peace, interposed to the collection of bona fide debts by British creditors. This Commission, which was composed of five members, two appointed by each Government, and the fifth designated by lot, met in Philadelphia in May, 1797. The last meeting was held July 31, 1798, when the American Commissioners withdrew. The claims which the Commission failed to adjust were settled by a treaty concluded January 8, 1802, under which the British Government accepted the sum of £600,000 in satisfaction of its demands.

But the most important as well as the most interesting of the Commissions under the Jay Treaty was that which sat at London under the seventh article. The American Commissioners were Christopher Gore and William Pinckney; the British Commissioners, John Nicholl, an eminent civilian, afterward succeeded by Maurice Swabey, and John Anstey; the fifth Commissioner, chosen by lot, was Jonathan Trumbull, who had accompanied Mr. Jay to England when he nego-

tiated the treaty. In order to avoid the misfortune of having a partisan as fifth Commissioner, the four appointive members of the board adopted a happy expedient. In accordance with the requirements of the treaty, they first endeavored to select a fifth commissioner by agreement, and for that purpose each side presented a list of four persons; but as neither side would yield it became necessary to resort to the alternative of casting lots. The next step, according to common practice, would have been for each side to upon the rights of sovereignty and of independence of tion, with the chances in favor of his being a partisan. But at London each side selected its name from the list of four made out by the other with a view to a mutual agreement, and the result was that a well-disposed man became the fifth Commissioner.

One of the first questions raised before the commission was that of its power to determine its own jurisdiction in respect to the several claims presented for its decision. The British Commissioners denied the existence of the power, and absented themselves from the board, till Lord Chancellor Loughborough, to whom the question was submitted, declared that the doubt respecting the authority of the Commissioners to settle their own jurisdiction was absurd, and that they must necessarily decide upon cases being within or without their competency. Important questions of law arose before the board in relation to contraband, the rights of neutrals, and the finality of the decisions of prize courts. These were all discussed with masterly ability, especially by Mr. Pinckney. His opinions as a member of this board Mr. Wheaton pronounced to be "finished models of judicial eloquence, uniting powerful comprehensive argument with a copious, pure, and energetic diction." The sessions of the board were brought to a close February 24, 1804, all the business before it having been completed. It was, how-

ever, in actual session only part of the period which its existence nominally covers.

Since John Jay was burned in effigy in Boston for putting an arbitration clause into our treaty with England in 1794, there have been two hundred and fifty international disputes settled by arbitration or by special commissions. From 1814 to 1840 there were only twenty-four such settlements; but the rate of increase was so rapid that in 1901, 1902 and 1903 there were sixty-three.

Like the Jay Treaty, the Treaty of Ghent, of December 24, 1814, after the war of 1812, which restored amity between the two countries, provided for three arbitrations. The first, under article four, related to certain islands in Passamaquoddy Bay, the title to which, it was stipulated, should be determined by two persons, one appointed by each Government; and it was provided that, if they should disagree, the points or difference should be referred to a friendly sovereign or state. The Commissioners held their first meeting at St. Andrews, New Brunswick, September 23, 1816, and at their last, in the city of New York, November 24, 1817, they rendered a final award.

By the fifth article of the Treaty of Ghent, an arbitration similar in constitution to that of article 4 was provided for the ascertainment of the northeastern boundary of the United States from the source of the River St. Croix, along a certain described course, to the River St. Lawrence. The commission under this article held its first meeting at St. Andrews, September 23, 1816, and its last in the city of New York, April 13, 1822. Failing to agree, the Commissioners made separate reports to their Governments, and, by a convention concluded September 29, 1827, the points of difference were referred to the King of the Netherlands. His award, dated January 10, 1831, the two Govern-

ments agreed to waive, since it assumed to make a new line in place of that described in the treaties.

The third commission under the Treaty of Ghent was organized under articles 6 and 7. Under the sixth article, its duty was to determine the northern boundary of the United States along the middle of the Great Lakes and of their communications by water to the water communication between Lakes Huron and Superior; and under the seventh article, to determine the line from that point to the most northwestern point of the Lake of the Woods. This commission was composed of two members, appointed by each Government. On June 18, 1822, they reached an agreement under article 6; but on the line described in article 7 they failed to concur, and it was finally determined, as was the unsettled boundary under article 5, by the treaty of August 9, 1842, generally known as the Webster-Ashburton Treaty.

By the treaty between the United States and Great Britain of June 5, 1854, in relation to Canadian fisheries and commerce, provision was made for the adjustment of any disputes as to the exclusive right of British fishermen under the treaty, by a commission to be composed of a person appointed by each Government, and an umpire.

A British-American commission met in Washington, under a convention concluded July 1, 1863, to determine the compensation due to the Hudson's Bay Company and the Puget's Sound Agricultural Company, two British organizations, on certain claims for damages, as well as for the transfer to the United States of all their property and rights in territory acknowledged by the treaty of 1846, in regard to limits west of the Rocky Mountains, to be under the sovereignty of Great Britain. The Commissioners who met January 7, 1865, chose as umpire one of America's greatest judges and jurists, Benjamin Robbins Curtis;

but his services were not required, since the Commissioners on September 10, 1869, concurred in an award.

While this commission was sitting, the relations between the United States and Great Britain were seriously disturbed by controversies growing out of the civil war, the northeastern fisheries, and the disputed San Juan water boundary. All these menacing differences were considered by the treaty of Washington, of May 8, 1871, signed on the part of the United States by Hamilton Fish, Robert C. Schenck, Samuel Nelson, Ebenezer Rockwood Hoar, and George H. Williams; on the part of Great Britain, by the Earl de Grey and Ripon, Sir Stafford H. Northcote, Sir Edward Thornton, Sir John A. Macdonald, and Montague Bernard. The right of this treaty to be regarded as the greatest treaty of arbitration the world had then known was emphasized by the fact that it provided for four distinct arbitrations, the largest number which up to that time had ever been established under a single convention. Of the four arbitrations under this treaty of Washington, the first in order and importance was that of Geneva, in which two great and powerful nations, gaining in wisdom and self-control, and losing nothing in patriotism and self-respect, taught the world that the magnitude of a controversy need not be a bar to its peaceful solution. On the part of the United States, the arbitrator was Charles Francis Adams; on the part of Great Britain, Sir Alexander Cockburn. There were three other arbitrators, Count Frederic Sclopis, Jacques Staempfli, afterward President of Switzerland, and the Viscount D'Itajuba, of Brazil, respectfully designated by the King of Italy, the President of Swiss Confederation and the Emperor of Brazil. The American agent was J. C. Bancroft Davis, the British agent, Lord Tenterden. Caleb Cushing, William M. Evarts, and Morrison R. Waite appeared as counsel for the United States. Sir Roun-

dell Palmer, afterward Lord Selborne, appeared for Great Britain, assisted by Montague Bernard. The demands presented by the United States to the tribunal, arising out of the acts of Confederate cruisers of British origin, and generally known as the Alabama claims, were as follows:

1. Direct losses growing out of the destruction of vessels and their cargoes.
2. The national expenditures in pursuit of those cruisers.
3. The loss for the transfer of the American commercial marine to the British flag.
4. The enhanced payments of insurance.
5. The prolongation of the war, and the addition of a large sum to the cost of the war and the suppression of the rebellion.

As to classes 3, 4 and 5, Great Britain denied the jurisdiction of the tribunal, and also its power to decide as to its own competency. Without deciding this question, the Geneva tribunal disposed of these three classes by expressing an opinion that they did not, upon the principles of international law, constitute a good foundation for an award of compensation, and that they should be excluded from consideration, even if there were no difference between the two Governments as to the board's competency. In regard to the second class of claims, the tribunal held that they were not properly distinguishable from the general expenses of the war carried on by the United States on that head. On claims of the first class, the tribunal awarded the sum of \$15,500,000. Its first session was held December 15, 1871; its last September 14, 1872.

The dispute as to the San Juan water boundary was referred to the Emperor of Germany, who rendered, October 21, 1872, an award in favor of the United States. Claims of British subjects against the United States, and of citizens of the United States

against Great Britain (excepting the Alabama claims), arising out of injuries to persons or property during the civil war in the United States, from April 17, 1861, to April 9, 1865, were referred to a mixed commission, composed of three persons respectively appointed by the United States, Great Britain, and Spain, which sat in the United States.

The fourth arbitration under the Treaty of Washington, to determine the compensation, if any, due to Great Britain for privileges accorded by that treaty to the United States in the northeastern fisheries, was conducted by a commission of three persons—a citizen of the United States, a British subject, and a Belgian—which met at Halifax, June 15, 1877, and on the 23rd of the following November (the American commissioner dissenting) awarded Great Britain the sum of \$5,500.00.

Beginning with the arbitration under the Jay Treaty, every vexatious question between the United States and Great Britain that has since arisen, except the extraordinary complications growing out of the Napoleonic wars and leading up to the war of 1812, has yielded to methods of peace, arbitration being adopted where direct negotiation failed.

From France the United States has several times obtained gross sums in settlement of claims by direct negotiation. The single exception to this practice is the commission—composed of an American, a Frenchman, and a citizen of a third power—which sat in Washington from November 5, 1880, to March 31, 1884, and determined the claims of citizens of France for injuries to their persons and property during the American civil war, and claims of citizens of the United States against France for like injuries during the war between that country and Germany.

With Spain, prior to the Spanish-American war, the United States has had two arbitrations. The first,



under a diplomatic agreement of February 12, 1871, touching claims growing out of the insurrection in Cuba, was effected by means of a mixed commission—composed of two arbitrators, an American and a Spaniard, and an umpire, a citizen of a third power—which met in Washington, May 31, 1871. The arbitrators concluded their labors December 27, 1882; the last decision of the umpire bears date February 22, 1883. The second arbitration was the reference on February 28, 1885, to Baron Blanc, Italian minister at Madrid, of the question of the amount of damages to be paid by Spain for the admittedly wrongful seizure and detention of the American bark *Masonic*.

The arbitrations of the United States have embraced many types of international controversy, and many highly important questions of law, both public and private. Not infrequently the questions in whose solutions they have resulted were hotly discussed as just and almost necessary causes of war, involving national rights and national honor. If the contracting parties had resorted to force, they would perhaps never have realized how easily and honorably their differences might have been adjusted by reasonable methods. If the United States and Great Britain, instead of making the Treaty of Washington, had gone to war about the Alabama claims, which involved the rights and honor of both countries, and even the public legislation and the conduct of the public authorities of one of them, it is probable that many patriotic writers in both countries would now be engaged in showing how impossible it was to submit such questions to arbitration.

Is the method of arbitration efficacious? The best answer we can make to that inquiry is to ask the objector to point to a single instance in which two nations, after having agreed to arbitrate a difference, have gone to war about it. Arbitration has brought

peace, and "peace with honor." It is a rude and savage notion that nations, when they feel themselves aggrieved, must, instead of discussing and reasoning about their differences in a spirit of patience and forbearance, seek to avenge their wrongs by summary and violent measures. Among an enlightened and Christian people the spirit of revenge, discarded, as it is, in laws for the government of men in their private relations, can still less be adopted as a principle of public conduct. For, just in proportion as the responsibilities of nations are greater and more solemn than those of private individuals, in that proportion are nations bound to exceed the measures of private virtue in their efforts to hasten the era of peace.

In view of the demonstrated efficacy of arbitration as a means of settling international disputes, the nation that seeks or recklessly invites a resort to arms must bear in the eyes of the civilized world a heavy responsibility.

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#### **Arbitration Between the United States and Mexico, the First Case Before The Hague Tribunal of Arbitration.**

"And I will give peace in the land, and ye shall lie down, and none shall make you afraid; and I will rid evil beasts out of the land, neither shall the sword go through your land." Lev. 26-6.

The first case to come before the Hague Tribunal of Arbitration was "for the adjustment of certain contentions arising under what is known as the Pius Fund of the Californias." The controversy had its origin more than two centuries ago when all of California was a part of Mexico. At that time certain moneys and properties were given to the Jesuits for missionary work in California, which then included both Upper

and Lower California. Afterwards the Jesuits were suppressed and driven out of Mexico by the Spanish authorities, who continued to administer the funds and care for the property in question until Mexico became independent. After achieving independence, the Mexican government appropriated the funds and properties, but agreed to pay six per cent interest on their capital value to the Catholic church for missionary and church work in California. In 1846 Mexico and the United States went to war; and by the treaty of peace following the war Upper California passed to the United States. Thereafter the Mexican government claimed that all the annual six per cent interest should be paid to the Catholic church for use in Lower California, while the United States government claimed that the Catholic church authorities in Upper California were entitled to a proper share in the interest. The dispute continued until 1868, when the matter was referred to arbitration. The commissioners of arbitration could not agree, and the British Minister was chosen umpire. The final award was made on November 18, 1876, by which the contention of the United States was fully sustained, and it was decided that Mexico should pay twenty-one years' interest upon the Pius Fund, which amounted to \$904,070.79, in Mexican gold coin, and the award was punctually paid by the Mexican government.

Mexico defaulted in payments of interest after the year 1868, although demand was continually made by the United States therefor. Finally the matter was referred to The Hague Tribunal of Arbitration for settlement. The United States Government selected two arbitrators, the Mexican Government selected two, and the four arbitrators selected an umpire. The tribunal heard the case. The United States contended that the former award established the duty of Mexico to pay annually one-half the interest of the Pius Fund

for use of the Catholic church in the State of California—in legal language, that the matter was *res judicata*. Mexico denied liability and the finality and conclusiveness of the prior award.

After hearing the proofs and arguments of the respective parties, the Tribunal of Arbitration, on October 14, 1902, unanimously decided in favor of the United States; that the matter was *res judicata*; that Mexico should pay the United States \$1,420,682.67 arrearages of interest, and each year thereafter an annuity of \$43,050.99, Mexican money. In itself the case was not of great importance, but it marked an epoch in the recognition of arbitration for settling international disputes.

“O, my children; my poor children!  
Listen to the words of wisdom,  
Listen to the words of warning,  
From the lips of the Great Spirit,  
From the Master of Life, who made you.

“I have given you lands to hunt in,  
I have given you streams to fish in,  
I have given you bear and bison,  
I have given you roe and reindeer,  
I have given you brant and beaver,  
Filled the marshes full of wild-fowl,  
Filled the rivers full of fishes;  
Why then are you not contented?  
Why then will you hunt each other?

“I am weary of your quarrels,  
Weary of your wars and bloodshed,  
Weary of your prayers for vengeance,  
Of your wranglings and dissensions;  
All your strength is in your union,  
All your danger is in discord;  
Therefore be at peace henceforward,  
And as brothers live together.”

—Longfellow.

### **Arbitration Between United States and Russia.**

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“Blessed are the peacemakers; for they shall be called the children of God.” Matt. 5-9.

In 1891 and 1892 four American vessels were attacked and seized by the Russian Government for alleged illegal fishing in the North Pacific. The vessels were held for a time, and then released, without trial or hearing. Thereupon the owners, officers and crews of the vessels filed claims for damages for illegal arrest and detention. The matter was taken up by the United States Government, on behalf of the claimants, against the Russian Government. The Russian Government denied liability, and the matter delayed until August, 1900, when a protocol was signed at St. Petersburg, appointing Mr. T. M. C. Asser, member of the Council of State of the Netherlands, arbitrator, to take cognizance of the claims for indemnity which had been presented to Russia by the United States on behalf of the parties in interest.

Testimony was taken and arguments presented, and after due consideration by the arbitrator, a decision was rendered in favor of the United States on November 29, 1902. The amount of award was \$101,270.00. The significance of the decision in international law was that Behring Sea was declared to be open sea.

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### **The Venezuela Arbitration.**

The influence of The Hague Conference in extending arbitration among the nations of the earth has an excellent example in the matters submitted to arbitration in 1903 by the Allied Powers—Great Britain, Ger-



many, and Italy—and Venezuela. In 1902 the Allied Powers blockaded the ports, bombarded the forts, and seized and sunk gunboats of Venezuela to compel payment of money claimed to be due from the government of Venezuela to citizens of the Allied Powers. The claims were for money loaned to make improvements and develop resources in Venezuela. Venezuela, or its citizens, owed the money, but also, arising out of the same transactions, owed money to the citizens of other countries. The Allied Powers were members of The Hague Conference; so were other countries whose citizens were creditors of Venezuela. Venezuela was not a member of The Hague Conference. The Allied Powers attempted by force to make the claims of their citizens preferred claims which should be paid before payment should be made to other creditors. After the Allied Powers had used force and Venezuela was helpless to resist, other nations protested and demanded that all questions involved should be referred to the Tribunal of International Arbitration provided for by The Hague Conference. After a time the question of preferred payment was submitted to The Hague Tribunal for decision. The claims were not large as such claims go, and although Venezuela is poor and weak they will all be paid in full sooner or later.

The amounts of the claims were adjusted by mixed commissions sitting at Caracas, in Venezuela, and the umpires were appointed by the President of the United States. To Germany was awarded \$384,000 of claims amounting to \$1,200,000. English claims were awarded to the amount of \$120,000. The commissions also fixed the compensation due the citizens of other countries besides the Allied Powers. In nearly all cases the amounts allowed were much less than the amounts claimed. The amounts allowed to the Allied Powers were much less than the cost of the expeditions sent to enforce t

The significance of The Hague arbitration does not lie in the immediate importance of the controversy, but in the principles underlying the issues of the case. For the first time in human history, under the benign influence of The Hague Conference, a great ethical question has been submitted to arbitration. Were the acts of the Allied Powers, in blockading the harbors, bombarding the fortifications, seizing the property, and destroying the vessels of Venezuela justified by the principles of equity and rendered necessary by the conduct of the South American country? And were the Allied Powers, under the conventions of The Hague Conference to which they were parties, required to submit their claims for alleged injuries and debts due their subjects to impartial adjudication before attempting to compel their payment from a defenceless nation by force? And even if such claims had been adjudicated by impartial investigation, did not the letter and spirit of the conventions of The Hague Conference require the Allied Powers to attempt to induce Venezuela to accept mediation or arbitration before using force to extort payment of the claims?

These questions were presented and argued with great ability by counsel for the Allied Powers, Venezuela and other creditor nations, and the decision is now (January 1, 1905,) awaited with great interest by the civilized world. Whatever the decision, it will doubtless be acquiesced in by all parties, and will mark a great advance in arbitration as a substitute for force in settling international disputes.

In the case made up for decision, and the arguments before the Tribunal, no question was raised as to the amounts due different claimants; the whole question was on the order of payment; should the Allied Powers because of their diligence have preference for the claims of their citizens? To that question the Allied Powers maintained an affirmative decision from the

Tribunal, while Venezuela and the creditor nations who had not used force argued for a negative decision.

Thirteen independent nations were represented in the controversy. Russia and Austria furnished jurists for the Tribunal. Great Britain, Germany and Italy—the Allied Powers—represented one side of the controversy, Venezuela the other side, while the United States, Mexico, France, Spain, Belgium, the Netherlands, Sweden and Norway were parties in interest. All parties interested furnished counsel and took part in the discussions.

The fact that the greatest and most powerful nations of the earth permitted their conduct and policy to be questioned by other nations, and allowed the same to be submitted to a civil tribunal for judgment upon the principles of international law and justice, shows the remarkable results accomplished by The Hague Conference. Prior to The Hague Conference no nation should have had its conduct thus questioned without loss of dignity and prestige. Now the sentiment of the civilized world encourages the impartial investigation of the conduct of nations, and the nation which courts such inquiry gains respect from other nations and its own citizens. For a nation to submit its claims and its conduct to impartial judicial investigation is now a mark of confidence and strength and not a sign of weakness. Surely peace hath greater victories than war.

With the Venezuela case for a precedent, it seems possible and feasible for all future disputes of an international character to be settled by arbitration. The ideal of a general peace expressed in the rescript of the Russian Emperor, by which The Hague Conference was called, may be realized much sooner than even its most enthusiastic supporters and advocates dreamed of when the conference met.



International law is not fixed and unyielding, but is constantly growing and extending; each treaty, each arbitration, every state paper concerning foreign affairs, the daily commercial intercourse of nations all change and modify its principles. Like human history, it never stops and is never down to date, for humanity never stands still, and progress has no end.

### **The Alaskan Boundary Dispute.**

The benefit of arbitration in settling international disputes is well illustrated by the so-called Alaskan Case, decided by an international commission sitting in London, on October 17th, 1903. It was a dispute between the United States and Canada relative to the true boundary line between Alaska and Canada north of 44' 40". By treaty between Great Britain and Russia, made in 1825, the boundary line in that region was fixed at ten leagues from the sea from Portland Channel to Mt. St. Elias. In those days land in that part of the world was not of much value, and a few hundred square miles of territory was of little account.

But in 1867 Russia sold Alaska to the United States. When the territory began to be settled a dispute arose as to the boundary. Canada claimed the line to be ten leagues from the sea shore, while the United States claimed it to be ten leagues from the heads of the inlets of the sea. The claim of the United States had been acquiesced in by Great Britain for more than fifty years. Russia and the United States had exercised authority over the disputed territory after the treaty of 1825 until the discovery of gold in Alaska had made the territory valuable, when Canada began to assert a claim under the old treaty of 1825. The United States was in possession and held it, although Canadian police attempted to collect revenue when it was filled with

gold-seekers and immigrants going to the Klondyke region. Several important towns and ports, including Dyea, Skagway and Juneau, were in the disputed territory. At one time collisions between Canadian and United States authorities seemed imminent, but a *modus vivendi* was agreed to and the dispute became a diplomatic question.

Acting under the provisions of The Hague Conference, an arbitration treaty between the United States and Great Britain was signed on January 24th, 1903, referring the question in dispute to six commissioners, three from each nation. The commission met in London and heard testimony and arguments. The personnel of the commission and counsel was as follows: For the United States—Commissioners, Senator Lodge, Senator Turner, Secretary of War Root; attorneys, John W. Foster, Don M. Dickinson, Hannis Taylor. For Canada—Commissioners, Lord Alverstone, Sir Louis A. Jette, Allen S. Aylesworth; attorneys, Hon. Clifford Sifton, Attorney General Finlay.

The entire claims of the United States were sustained, except that Canada was given control of the Portland Channel. The decision was a decided victory for the cause of peace and arbitration among the nations of the earth and well illustrated the good influence of The Hague Conference.

Written and compiled from Governmental Documents of each of the foregoing arbitration cases as indicated in the entitling of said cases.

### The United States As Arbitrator or Mediator.

Besides submitting its own controversies to arbitration, the United States, or its representatives, has not infrequently discharged an arbitral or mediatorial function. On three occasions the arbitrator has been

the President: (1) Under a protocol between Great Britain and Portugal of January 7, 1869, touching claims to the island of Bulama; (2) under a treaty between the Argentine Republic and Paraguay of February 3, 1876, to settle a boundary dispute; (3) under a treaty between Costa Rica and Nicaragua of December 24, 1886, to settle boundary and other questions.

On four occasions a minister of the United States has acted as arbitrator: (1) In 1873 the envoys of the United States and Italy at Rio de Janeiro rendered a decision upon the claim of the Earl of Dundonald, a British subject, against Brazil; (2) in the same year the minister of the United States at Santiago was appointed as arbitrator between Chile and Bolivia in respect to some disputed accounts; (3) in 1874 the minister of the United States at Rome determined a boundary dispute between Italy and Switzerland; (4) in 1875 the minister of the United States at Bogota rendered an award on certain claims of Great Britain against Colombia.

The mediatorial services of the United States have been numerous. One of the most important was that performed by the Secretary of State in effecting, on April 11, 1871, between Spain on the one hand, and Chile, Peru, Ecuador and Bolivia on the other, an armistice which cannot, according to its terms, be broken by any of the belligerents except after notification, through the Government of the United States, of its intention to renew hostilities. Another important mediatorial service was that rendered in 1881 to Chile and the Argentine Republic by the ministers of the United States at Santiago and Buenos Ayres, in effecting by their good offices an adjustment of a long-standing boundary dispute.

Ex-President Harrison acted as one of the arbitrators or as counsel for Venezuela in the boundary dispute between Great Britain and Venezuela.

## CHAPTER VIII.

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### PEACE CONGRESSES AND PEACE SOCIETIES.

(From American Peace Society Report, Boston, 1904.)

The first International Peace Congress was planned in Boston, and held in London in 1843. Of its 300 delegates, 30 were from the United States. The second received its impulse from Elihu Burritt, and was held in Brussels in 1848. The third, in Paris, in 1849, had an attendance of 2,000, and was presided over by Victor Hugo. The fourth was in Frankfort in 1850; and the fifth in London in 1851. Burritt was an active promoter of all except the first.

The Peace Congresses were revived in 1889, and have been held in London, Rome, Berne, Chicago, Antwerp, Buda-Pesth, Hamburg, Paris, Glasgow, Monaco, and Rouen. The last Congress received marked attention from the French government. Since its meeting in 1903, ten European nations have signed arbitration treaties pledging reference to The Hague Court; and France and England, unfriendly to each other for centuries, have quietly settled by diplomacy a half-dozen matters any one of which in former days might have led to war. The mere fact of a World Court being ready to hear cases will cause many to be peaceably settled out of court.

The Congress of 1904 met in Boston, the first week in October.

### **The New World's Work for Peace.**

A century before the Czar's rescript, Jefferson, Samuel Adams, Washington, and Franklin were zealous advocates of peace.\*

The United States led the world in organized work for peace. We established three Peace Societies in 1815—the first in the world. A great wave of peace effort spread over the country during the next generation. Noah Worcester, Channing, Sumner, William Ladd, Elihu Burritt, were among its leaders. The International Peace Congresses had their inception in Boston. Here, too, were taken the first steps toward forming the International Law Association of four hundred jurists—one of the foremost agencies for the world's peace. Sixty years ago agitation for arbitration was so common here that Europeans called it "the American Way."

In 1900 Argentina and Chile were on the verge of war over territorial boundary disputes; but a revulsion of feeling, originating in the noble protest of an eloquent bishop of Argentina, led to an agreement to arbitrate their difficulties. Since the arbitration, which satisfied both countries, both have begun disarmament. Chile has turned an arsenal into a trade school, is teaching science more than military tactics to her cadets, and has already spent on good roads ten million dollars received from the sale of warships. In March, 1904, upon a mountain pass on the lofty Andes boundary line there was erected a colossal bronze statue of Christ, as a memorial of the compact of perpetual peace between these nations, and as a better guardian of the border than a cordon of fortresses.

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\* From American Peace Society, Boston, Mass., 1904.

**Proposal of the New York State Bar Association.**

The Bar Association of the State of New York, at its annual session held in Albany, January 22, 1896, appointed a committee to consider the subject of international arbitration and to prepare a plan for a tribunal between Great Britain and the United States. The committee referred the matter to a sub-committee, which reported a plan for a more comprehensive tribunal than was at first contemplated. This plan was approved by the full committee, and afterwards, at a special meeting held in Albany, April 16, 1896, was adopted by the association. It was as follows:

First. The establishment of a permanent international tribunal, to be known as "The International Court of Arbitration."

Second. Such court to be composed of nine members, one each from nine independent states or nations, such representative to be a member of the supreme or highest court of the nation he shall represent, chosen by a majority vote of his associates because of his high character as a publicist and judge, and his recognized ability and irreproachable integrity. Each judge thus selected to hold office during life or at the will of the court selecting him.

Third. The court thus constituted to make its own rules of procedure, to have power to fix its place of sessions, and to change the same from time to time as circumstances and the convenience of litigants may suggest, and to appoint such clerks and attendants as the court may require.

Fourth. Controverted questions arising between any two or more independent powers, whether represented in said "International Court of Arbitration" or not, at the option of said powers to be submitted by treaty between said powers to said court, providing only that said treaty shall contain a stipulation to the

effect that all parties thereto shall respect and abide by the rules and regulations of said treaty and conform to whatever determination it shall make of said controversy.

Fifth. Said court to be opened at all times for the filing of cases and counter cases under treaty stipulations by any nation, whether represented in the court or not, and such orderly proceedings in the interim between sessions of the court, in preparation for argument and submission of the controversy, as may seem necessary, to be taken as the rules of the court provide for and may be agreed upon between the litigants.

Sixth. Independent powers not represented in said court, but which may have become parties litigant in a controversy before it, and by treaty stipulations have agreed to submit to its adjudication, to comply with the rules of the court and to contribute such stipulated amount to its expenses as may be provided for by its rules or determined by the court.

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### Universal Peace Congress.

At the World's Columbian Exhibition, held in Chicago, 1893, there convened a Universal Peace Congress which proposed the following rules for the organization of an international tribunal of arbitration:

First. If any cause of complaint arise between any of the nations parties hereto, the one aggrieved shall give formal notice thereof to the other, specifying in detail the cause of complaint and the redress which it seeks.

Second. The nation which receives from another notice of any cause of complaint shall, within one month thereafter, give a full and explicit answer thereto.

Third. If the nation complaining and the nation complained of do not otherwise, within two months after such answer, agree between themselves, they shall each appoint three members of a joint commission who shall confer together, discuss the differences, endeavor to reconcile them, and within one month after their appointment shall report the result to the nations appointing them respectively.

Fourth. If the commissioners shall fail to agree, or the nations appointing them fail to ratify their acts, those nations shall, within twelve months after the appointment of the joint commission, give notice of such failure to the other parties of the treaty, and the cause of complaint shall be referred to the tribunal of arbitration, instituted as follows:

1. Each signatory nation shall, within one month after the ratification of this treaty, transmit to the other signatory nations the names of four persons as fit to serve on such tribunal.

2. From the list of such persons, the nations at any time in controversy shall alternately, and as speedily as possible, select one after another until seven are selected, which seven shall constitute the tribunal for the hearing and decision of that controversy. Notice of each selection shall immediately be given to the permanent secretary, who shall at once notify the person so selected.

3. The tribunal thus constituted shall, by writing signed by the members or a majority of them, appoint a time and place of meeting and give notice thereof through the permanent secretary to the parties in controversy; and at such time and place, or at other times and places to which an adjournment may be had, it shall hear the parties and decide between them, and such decision shall be final and conclusive.

4. If either of these parties fail to signify its selection of names from the list within one month after a



request from the other to do so, the other may select for it; and if any of the persons selected to constitute the tribunal shall die or fail from any cause to serve, the vacancy shall be filled by the nation which originally named the person whose place is to be filled.

Fifth. Each of the parties to this treaty binds itself to unite as herein provided, in forming a tribunal of arbitration for all cases in controversy between any of them not adjusted by a joint commission, as hereinbefore provided, except that such arbitration shall not extend to any question respecting the independence or sovereignty of a nation, or its equality with other nations, or its form of government, or its internal affairs.

1. The Tribunal of Arbitration shall consist of seven members, and shall be constituted in a manner provided in the foregoing fourth rule; but it may, if the nations in controversy so agree, consist of less than seven persons, and in that case the members of the tribunal shall be selected jointly by them from the whole list of persons named by the signatory nations. Each nation claiming a distinct interest in the question at issue shall have the right to appoint one additional arbitrator on its own behalf.

2. When the tribunal shall consist of several arbitrators a majority of the whole number may act, notwithstanding the absence or withdrawal of the minority. In such case the majority shall continue in the performance of their duties until they shall have reached a final determination of the question submitted for their consideration.

3. The decision of the majority of the whole number of arbitrators shall be final, both on the main and incidental issues, unless it shall have been expressly provided by the nations in controversy that unanimity is essential.

4. The expenses of an arbitration proceeding, in-

cluding the compensation of the arbitrators, shall be paid in equal proportions by the nations that are parties thereto, except as provided in subdivision 6 of this article, but expenses of either party in the preparation and prosecution of its case shall be defrayed by it individually.

5. Only by the mutual consent of all the signatory nations may the provisions of these articles be disregarded and courts of arbitration appointed under different arrangements.

6. A permanent secretary shall be appointed by agreement between the signatory nations, whose office shall be at Berne, Switzerland, where the records of the tribunal shall be preserved. The permanent secretary shall have power to appoint two assistant secretaries, and such other assistants as may be received for the performance of the duties incident to the proceedings of the tribunal.

The salary of the permanent secretary, assistant secretaries, and other persons connected with his office, shall be paid by the signatory nations, out of a fund to be provided for that purpose, to which each of such nations shall contribute in a proportion corresponding to the population of the several nations.

7. Upon the reference of any controversy to the tribunal, and after the selection of the arbitrators to constitute the tribunal for the hearing of such controversy, it shall fix the time within which the case, counter case, reply, evidence and arguments of the respective parties shall be submitted to it, and shall make rules regulating the proceedings under which the controversy shall be heard.

8. The tribunal as first constituted, for the determination of a controversy, may establish general rules for practice and proceeding before all tribunals assembled for the hearing of any controversy submitted under the provisions of these articles, which,

rules may from time to time be amended or changed by any subsequent tribunal; and all such rules shall immediately, upon their adoption, be notified to the various signatory powers.

Sixth. If any of the parties to this treaty shall begin hostilities against another party without having first exhausted the means of reconciliation herein provided for, or shall fail to comply with the decisions of the Tribunal of Arbitration, within one month after receiving notice of the decision, the chief executive of every other nation party hereto, shall issue a proclamation declaring such hostilities or failure to comply to be an infraction of this treaty, and at the end of thirty days thereafter the ports of the nations from which the proclamation proceeds shall be closed against the offending or defaulting nation, except upon condition that all vessels and goods coming from or belonging to any of its citizens shall, as a condition, be subjected to double the duties to which they would otherwise have been subjected. But the exclusion may be at any time revoked by another proclamation of like authority, issued at the request of the offending nation, declaring its readiness to comply with this treaty in its letter and spirit.

Seventh. A conference of representatives of the nations parties to this treaty shall be held every alternate year, beginning on the first of January, at the capital of each in rotation, and in the order of the signatures to this treaty, for the purpose of discussing the provisions of the treaty, and desired amendments thereof, averting war, facilitating intercourse, and preserving peace.

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### Appeals to Nations.

Two international peace congresses were held during the year 1902, one at Monaco in April, and the other

at Glasgow in September. Delegates from more than fifty peace organizations, representing fourteen countries, were present.

The congress at Monaco, and that at Glasgow issued through the press strong appeals to the nations to abandon the barbarous practice of war, and all the policies of exclusiveness and irritation out of which it springs, and to adopt and pursue in their relations to one another those principles of equity, friendliness, cordial respect, and mutual service which lie at the basis of all that is entitled to be called civilization.

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#### **International Peace Bureau.**

The International Peace Bureau at Berne is a bond of union of the societies. The bureau now receives a small annual subvention from four governments. Its Committee of Administration consists of twenty-four members representing fourteen countries.

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#### **American Friends' Peace Conference.**

One of the important peace gatherings of the year 1902 was the General Peace Conference of the American Friends, held at Philadelphia in December. More than twelve hundred friends attended the meeting. All sections of the Society, from the extreme conservative to the most liberal, united in the Conference, which was remarkable for the number of leading educators and other prominent Friends which it brought together. After completing a three days' program of able papers and discussions, the Conference issued a declaration setting forth anew the well-known views of the Friends on the subject of war, and protesting against wars at the present time as in every respect out of harmony with the professed Christian civilization of the age.

### **International Law Association.**

The Twentieth Conference of the International Law Association, held at Glasgow, in August, 1902, was one of the most influential meetings which the Association has ever held in the thirty years of its existence. The conference was presided over by Lord Chief Justice Alverstone, of Great Britain, who, in his impressive opening address, bore testimony to the recognition now accorded the labors of the association by the executive authorities of governments. One session of the conference was devoted to a discussion, very able and impressive, of the subject of an arbitration treaty between Great Britain and France, and the other subjects considered—international maritime law, the duties of neutrals, etc.—all have an important bearing upon the question of international peace.

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### **Mystic Peace Convention.**

The yearly peace convention of the Universal Peace Union of Philadelphia and the Connecticut Peace Society, in the peace grove and temple at Mystic, Conn., was held in August, 1902, for three days, and brought together the usual large number of people from the surrounding neighborhood and towns. Well known peace workers gave strong addresses on different phases of the peace question, and earnest discussions of the important topics of the day were held each session.

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### **The Eighth Lake Mohonk Conference on International Arbitration.**

The international arbitration conferences held yearly at Lake Mohonk at the call of Albert

K. Smiley, continue to be an effective means of developing American public sentiment in favor of pacific methods of adjusting controversies between nations.

The eighth conference convened at Lake Mohonk, New York, on May 28, 1902, holding six sessions, which were attended by more than two hundred distinguished advocates of peace from all parts of the United States. The following platform was unanimously adopted:

"We affirm the principles declared by former conferences, and rejoice in the continued progress in their application.

"The Golden Rule as a practical law of conduct is not less binding upon nations than upon individuals. Upon obedience to this law depends the welfare of all alike. This is not the dream of enthusiasts, but the practical judgment of the sober-minded men and women who are doing the world's best thinking in the conduct of its affairs.

"We believe in the unity of the human race and the brotherhood of mankind, and, that being of kin, the spirit of kindness and of justice should be, and some day will be universal, recognizing no distinction of class or race or nationality. In this spirit and in obedience to this law we seek the adoption of the judicial method of settling international disputes, in order that the ends of justice may be attained and the sufferings and burdens of war may be avoided.

"Arbitration and appeals to courts of justice are the only rational methods of settling disputes which fail of direct settlement, whether between individuals or nations.

"We rejoice in the progress which has been made during the past year. The great Court provided for at The Hague, and subsequently established and recognized by the leading nations of the world, has been resorted to since the last meeting of our Conference

The governments of the United States and Mexico have just agreed to refer to that august tribunal the settlement of a disputed claim which for half a century they have been unable to adjust. The importance of this event is not measured by the magnitude of the claim. It marks an epoch in the adjustment of international controversies and the development of international law.

"During the year also the representatives of ten republics of Spanish America have agreed to recommend to their respective governments a treaty which provides for the submission of substantially all their differences to The Hague Tribunal.

"Chile and Argentina have agreed to submit all their controversies to that Court, to stop the projected construction of new armaments, and to remove existing causes of contention.

"The representatives of all the American Republics at the Pan-American Conference recently held at Mexico City have given their adhesion to the conventions adopted by The Hague Conference. They have also signed a protocol for the submission to The Hague Court of all cases arising from the claims of the citizens of one country against another.

"The Conference earnestly hopes that these conventions adopted at Mexico City will be speedily ratified by the United States and all other signatory American governments.

"We look forward hopefully to the time when self-interest, in addition to the imperative sense of duty, will impel all nations to submit all their controversies to the arbitrament of this Court.

"All our hopes, however, will prove illusory unless systematic, comprehensive and earnest work is done in educating and developing an enlightened public sentiment and opinion, which shall both demand and support it. To this end we call upon all schools, from the

primary to the university, upon the press, the pulpit, boards of trade and commerce, merchants' associations, trade leagues and all other organizations, upon all employers and employed, upon all men everywhere, to co-operate in creating a universal sentiment in favor of the judicial settlement of controversies."

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### Statesmen and Jurists.

The Interparliamentary Union, of over 2,000 members of parliaments of different nations, held its annual meeting in St. Louis in September, 1904. Congress voted \$50,000 for the entertainment of the foreign delegates to it. It was founded by W. R. Cremer, M. P., who received in 1903 the annual prize of about \$40,000 left by the Swedish inventor, Nobel, to be given to the person who had done the most to promote peace. The Union, founded in 1888, has met at Rome, Berne, The Hague, Brussels, Buda-Pesth, Christiana, Paris and Vienna. Every European nation except Spain has a parliamentary arbitration group. Our Congress has just formed one. The French Assembly's group numbers two hundred members.

The International Law Association was opened in 1873, and has a membership of about four hundred jurists and publicists. It is a strong factor in developing international law and promoting better international relations.

Chief Justice Fuller, Judge George C. Gray, Hon. Oscar S. Straus, and ex-Attorney-General Griggs are the judges representing the United States in The Hague court.



### **A Stated International Congress.**

Since 1875 thirty-three International Congresses have been held, three of these in Washington, and one, a Pan-American Conference, in Mexico. These have considered matters relating to postal service, weights and measures, laws of war, sanitation, quarantine, commerce, etc. These congresses meeting irregularly have grown more and more quasi-legislative, and treaties and conventions are often based on their action.

The world's business now demands that a regular International Congress, composed of representatives of the various governments should be arranged, to meet at definite intervals, to consider increasingly complex international interests and to make recommendations which would become law when ratified by the nations thus represented.

The Massachusetts Legislature in 1903 unanimously petitioned Congress, to authorize the President to invite the nations to establish such a Congress. This would forestall evils, remove friction, develop international law, and lessen the likelihood of war; and it might eventually become a genuine Parliament of Nations. It is one of the next great steps toward the Organization of the World.

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### **Peace Days.**

The Sunday before Christmas, 1901, was observed as Peace Sunday. A considerable number of ministers in England, in the United States, and in European countries, responded to the invitation sent them, and preached sermons on the subject of peace. Many of the peace societies, particularly in Europe, observed the 22nd day of February for the purpose of a united

peace demonstration, as they have done for some years past. A new peace day has now been added to the number of those consecrated to this cause, namely, the 15th day of May. This has grown out of the great peace demonstration of women just preceding The Hague Conference in 1899. The day is now observed yearly under the auspices of the International Council of Women.

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### **Peace Prizes and Bequests.**

An interesting event of the year, illustrating the widespread hold which the desire for permanent peace is taking on thoughtful men of all classes, was the first awarding of the peace prize provided for in the will of the late Alfred Nobel. This prize, the income of one-fifth of the great legacy left by him, amounted to about \$41,000, and was awarded in equal parts to M. Frederick Passy, the veteran leader of the peace movement in France, and to the noted Swiss philanthropist, Henri Dunant, the founder of the Red Cross organization.

In this connection it is proper to mention the legacy of about \$30,000 left by the late lamented John de Bloch for the maintenance of the special phase of the anti-war propaganda in which he was absorbed during the last years of his life.

Andrew Carnegie has added prestige to The Hague Court by giving \$1,500,000 to erect a noble building for it and to provide in connection an international library. He has given \$5,000,000 to provide pensions and rewards for Heroes of Peace.

## CHAPTER IX.

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### QUAKERS IN AMERICA AND IRELAND.

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(From an Essay by Jonathan Dymond.)

The reader of American history will recollect that in the beginning of the last century a desultory and most dreadful warfare was carried on by the natives against the European settlers; a warfare that was provoked—as such warfare has almost always originally been—by the unjust and violent conduct of the Christians. The mode of destruction was secret and sudden. The barbarians sometimes lay in wait for those who might come within their reach on the highway or in the fields, and shot them without warning; and sometimes they attacked the Europeans in their houses, “scalping some, and knocking out the brains of others.” From this horrible warfare the inhabitants sought safety by abandoning their homes, and retiring to fortified places, or to the neighborhood of garrisons; and those whom necessity compelled to pass beyond the limits of such protection, provided themselves with arms for their defense. But amidst this dreadful desolation with universal terror, the Society of Friends, who were a considerable portion of the whole population, were steadfast to their principles. They would neither retire to garrisons, nor provide themselves with arms. They remained openly in the country, whilst the rest were flying to the forts.

They still pursued their occupations in the fields or at their homes, without a weapon either for annoyance or defense. And what was their fate? They lived in security and quiet. The habitations which, to his armed neighbor, was the scene of murder and of the scalping-knife, was to the unarmed Quaker a place of safety and of peace.

Three of the Society were, however, killed. And who were they? They were three who abandoned their principles. Two of these victims were men who, in the simple language of the narrator, "used to go to their labour without any weapons, and trusted to the Almighty, and depended on His providence to protect them (it being their principle not to use weapons of war to offend others, or to defend themselves); but a spirit of distrust taking place in their minds, they took weapons of war to defend themselves; and the Indians, who had seen them several times without them, and let them alone, saying they were peaceable men and hurt nobody, therefore they would not hurt them, now seeing them have guns, and supposing they disguised to kill the Indians, therefore shot the men dead." The third whose life was sacrificed was a woman, who "had remained in her habitation," not thinking herself warranted in going "to a fortified place for preservation, neither she, her son, nor daughter, nor to take thither the little ones; but the poor woman, after some time, began to let in a slavish fear, and advised her children to go with her to a fort not far from their dwelling." She went; and shortly afterwards, "the bloody, cruel Indians lay by the way and killed her." (Select Anecdotes, by John Barclay, pp. 71-79.)

The fate of the Quakers during the Rebellion in Ireland was nearly similar. It was well known that the Rebellion was a time not only of open war, but of cold-blooded murder; of the utmost fury of bigotry.

Board of Education

and of the utmost exasperation of revenge. Yet the Quakers were preserved even to a proverb; and when strangers passed through the streets of ruin and observed a house standing uninjured and alone, they would sometimes point and say, "That, doubtless, is the house of a Quaker."\*

So complete, indeed, was the preservation which these people experienced, that in an official document of the Society they say: "No member of our Society fell a sacrifice but one young man." And that young man had assumed regimentals and arms. (Hancock's Principles of Peace Exemplified.)

It were to no purpose to say, in opposition to the evidence of these facts, that they form an exception to the general rule. The exception of the rule consists in the trial of the experiment of non-resistance, not in its success. Neither were it to any purpose to say that the savages of America, or the desperadoes of Ireland, spared the Quakers because they were previously known as an unoffending people, or because the Quakers had previously gained the love of these by forbearance or good offices. We concede all this; it is a part of the argument which we maintain. We say that a uniform, undeviating regard to the peaceable obligations of Christianity becomes the safeguard of those who practice it. We venture to maintain that no reason whatever can be assigned, why the fate of the Quakers would not be the fate of all who would adopt their conduct. No reason can be assigned why, if their number had been multiplied ten-fold or a hundred-fold, they would not have been preserved. If there be such a reason, let us hear it.\*

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\*The Moravians, whose principles upon the subject of war were similar to those of the Quakers, experienced also similar preservations.

\*Ramond, in his "Travels in the Pyrenees," says he fell in from time to time with those desperate mauraders who infested the boundaries of Spain and Italy—men who were fami-

**William Penn on the Peace of Europe.**

William Penn was the son of an English Admiral, and became a Quaker while a student at Oxford. He was eminent as an author and a man of high ideals and deep religious convictions, but was also noted as a man of affairs and keen business ability. In American history he is chiefly known as the founder of Pennsylvania. He also planned and named the City of Philadelphia. The following extract was written in 1693, on the Peace of Europe, and shows that peace sentiments are by no means new in the world. It is also an excellent illustration of the literary style and spelling two hundred years ago.

"What can we desire better than Peace, but the Grace to use it? Peace preserves our possessions. We are in no Danger of Invasions. Our Trade is free and safe, and we rise and lye down without Anxiety. The Rich bring out their Hoards, and employ the poor Manufacturers; Buildings and divers Projections, for Profit and Pleasure, go on. It excites Industry, which brings Wealth, as that gives the Means of Charity and Hospitality, not the lowest ornaments of a Kingdom or Commonwealth. But War, like the Frost of '83, seizes all these Comforts at once, and stops the Civil Channel of Society. The Rich draw in their Stock, the Poor turn Soldiers, or Thieves, or starve.

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War with danger and robbery and blood. What did experience teach him was the most efficient means of preserving himself from injury? To go "unarmed." He found that he had "little to apprehend from men whom we inspire with no distrust nor envy, and everything to expect in those from whom we claim only what is due from man to man. The laws of nature still exist for those who have long shaken off the law of civil government." "The assassin has been my guide in the defiles of the boundaries of Italy, the smuggler of the Pyrenees has received me with a welcome in their secret paths. Armed I should have been the enemy of both: unarmed, they have respected me. In such expectations I have long since aside all menacing apparatus whatever. Arms irritate wicked and intimidate the simple; the man of peace & mankind has a much more sacred defense—his charact

No Industry, no Building, no Manufactory, little Hospitality or Charity; but what the Peace gave, the War devours. I need say no more upon this Head, when the Advantages of Peace, and Mischiefs of War, are so many and sensible to every Capacity under all Governments, as either of them prevails. I shall proceed to the next Point. What is the best Means of Peace; which will conduce much to open my Way to what I have to propose?

“If we look over the Stories of all Times, we shall find the Aggressors generally moved by Ambition; the Pride of Conquest and Greatness of Dominion more than right. But as these Leviathans appear rarely in the World, so I shall anon endeavor to make it evident they had never been able to devour the Peace of the World, and engross whole Centuries as they have done, if the Proposal I have to make for the benefit of our present Age had been then in Practice. The advantage that Justice has upon War is seen by the Success of Embassies, that so often prevent War by hearing the Pleas and Memorials of Justice in the Hands and Mouths of the Wronged Party. Perhaps it may be in good Degree owing to Reputation or Poverty, or some particular Interest or Convenience of Princes and States, as much as Justice; but it is certain, that as War can not in any Sense be justified, but upon Wrongs received, and Right, upon Complaint, refused; so the Generality of Wars have their Rise from some such Pretension. This is better seen and understood at Home; for that which prevents a Civil War in a Nation, is that which may prevent it Abroad, viz.: Justice; and we see where that is notably obstructed, War is kindled between the Magistrate and People in particular Kingdoms and States; which, however it may be unlawful on the side of the People, we see never fails to follow, and ought to give the same Caution to Princes, as if it were the Right of the People

to do it: Tho' I must needs say, the Remedy is almost even worse than the Disease: The Aggressors seldom getting what they seek, or performing, if they prevail, what they promised. And the Blood and Poverty that usually attend the Enterprise, weigh more on Earth, as well as in Heaven, than what they lost or suffered, or what they get by endeavoring to mend their Condition, comes to. Which Disappointment seems to be the Voice of Heaven, and Judgment of God against those violent Attempts. But to return, I say, Justice is the Means of Peace, betwixt the Government and the People, and one Man and Company and another. It prevents Strife, and at last ends it. For besides Shame and Fear, to contend longer, he or they being under Government, are constrained to bound their Desires and Resentment with the Satisfaction the Law gives. Thus Peace is maintained by Justice, which is a Fruit of Government, as Government is from Society, and Society from Consent.

“Government is an Expedient against Confusion; a Restraint upon all Disorder; Just Weights and an even Balance: That one may not injure another, nor himself, by Intemperance.

“This was at first without Controversie, Patrimonial, and upon the Death of the Father or Head of the Family, the eldest Son or Male of Kin succeeded. But Time breaking in upon this Way of Governing, as the World multiply'd, it fell under other Claims and Forms; and is as hard to trace to its Original, as are the Copies we have of the first Writings of Sacred or Civil Matters. It is certain the most Natural and Human is that of Consent, for that binds freely (as I may say) when Men hold their Liberty by true Obedience to Rules of their own making. No Man is Judge in his own Cause, which ends the Confusion of Blood of so many Judges and Executioners. For out of Society every Man is his own King, do what he lists at his



own Peril. But when he comes to incorporate himself, he submits that Royalty to the Conveniency of the Whole, from whom he receives the Returns of Protection. So that he is not now his own Judge nor Avenger, neither is his Antagonist, but the Law, in indifferent Hands between both. And if he be Servant to others that before was free, he is also served of others that formerly owed him no Obligation. Thus while we are not our own, every Body is ours, and we get more than we lose, the Safety of the Society being the Safety of the Particulars that constitute it. So that while we seem to submit to, and hold all we have from Society, it is by Society that we keep what we have.

“Government, then, is the Prevention or Cure of Disorder, and the Means of Justice, as that is of Peace. For this Cause they have Sessions, Terms, Assizes, and Parliaments, to overrule Men's Passions and Resentments, that they may not be Judges of their own Cause, nor Punishers of their own Wrongs, which, as it is very incident to Men in their Corrupt State, so for that Reason they would observe no Measure; nor on the other Hand would any be easily reduced to their Duty. Not that Men know not what is Right, their Excesses, and wherein they are to blame, by no Means; nothing is plainer to them. But so depraved is Human Nature, that without Compulsion some Way or other, too many would not readily be brought to do what they know is right and fit, or avoid what they are satisfy'd they should not do. Which brings me near to the Point I have undertaken; and for the better Understanding of which, I have thus briefly treated of Peace, Justice, and Government as a necessary introduction, because the Ways and Methods by which Peace is preserved in particular Governments, will help those Readers most concerned in my Proposal to conceive with what Ease as well as advantage the Peace

of Europe might be procured and kept; which is the End designed by me, with all Submission to those Interested in this little treatise.

“Now if the Sovereign Princes of Europe, who represent that Society, or Independent State of Men that was previous to the Obligations of Society, would, for the same Reason that engaged Men first into Society, viz.: Love of Peace and Order, agree to meet by their Stated Deputies in a General Dyet, Estates, or Parliament, and there Establish Rules of Justice. for Sovereign Princes to observe one to another; and thus to meet Yearly, or once in Two or Three Years at farthest, or as they shall see use, and to be stiled, The Sovereign or Imperial Dyet, Parliament, or State of Europe; before which Sovereign Assembly should be brought all Differences pending between one Sovereign and another, that can not be made up by private Embassies, before the Sessions begin; and that if any of the Sovereignties that Constitute these imperial States, shall refuse to submit their Claim or Pretensions to them, or to abide and perform the Judgment thereof, and seek their Remedy by Arms, or delay their Compliance beyond the Time prefixt in their Resolutions, all the other Sovereignties, United as One Strength, shall compel the Submission and Performance of the Sentence, with Damages to the Suffering Party, and Charge to the Sovereignties that obliged their Submission. To be sure, Europe would quietly obtain the so much desired and needed Peace, to Her harassed Inhabitants; no Sovereignty in Europe having the Power and therefore can not show the Will to dispute the Conclusion; and, consequently, Peace would be procured, and continued in Europe.

“There appears to be but Three Things upon which Peace is broken, viz.: To Keep, to Recover, or to Add. First, to Keep what is One's Right, from the Invasion

of an Enemy; in which I am purely Defensive. Secondly, to Recover, when I think myself strong enough, that which by Violence I, or my Ancestors, have lost by the Arms of a Stronger Power; in which I am Offensive; or, Lastly, to increase my Dominion by the Acquisition of my Neighbour's Countries, as I find them Weak, and myself Strong. To gratify which Passion, there will never want some Accident or other for a Pretense. And Knowing my own Strength, I will be my own Judge and Carver. This Last will find no Room in the Imperial States. They are an unpassable Limit to that Ambition. But the other Two may come as soon as they please, and find the Justice of the Sovereign Court. And considering how few there are of those Sons of Prey, and how early they show themselves, it may be not once in an Age or Two, this Expedition being established, the Balance can not well be broken.

"It seems to me, that nothing in this Imperial Parliament should pass, but by Three-Quarters of the Whole, at least Seven above the Balance. I am sure it helps to prevent Treachery, because if Money could ever be a Temptation in such a Court, it would Cost a great deal of Money to weigh down the wrong Scale. All Complaints should be delivered in Writing in the Nature of Memorials and Journals kept by a proper Person, in a Trunk or Chest, which should have as many differing Locks as there are Tens in the States. And if there were a Clerk for each Ten, and a Pew or Table for those Clerks in the Assembly; and at the End of every Session One out of each Ten were appointed to Examine and Compare the Journal of those Clerks, and then lock them up as I have before expressed, it would be clear and Satisfactory. And each Sovereignty if they please, as is but very fit, may have an Exemplification, or Copy of the said Memorials, and the Journal of Proceedings upon them. The Liberty

and Rules of Speech, to be sure, they can not fail in, who will be Wisest and Noblest of each Sovereignty, for its own Honour and Safety. If any Difference can arise between those that come from the same Sovereignty that then One of the Major Number do give the Bails of that Sovereignty. I should think it extremely necessary, that every Sovereignty should be present under great Penalties, and that none leave the Session without Leave, till All be finishd; and that Neutralities in Debates should by no Means be endured. For any such Latitude will quickly open a way to unfair Proceedings, and be followed by a Train, both of seen and unseen Inconveniences. I will say little of the Language in which the Session of the Sovereign Estates should be held, but to be sure it must be in Latin or French; the first would be very well for Civilians, but the last most easie for Men of Quality.

“Of the real Benefits that flow from this Proposal about Peace:

“I am come to my last Section, in which I shall enumerate some of those many real Benefits that flow from this Proposal, for the Present and Future Peace of Europe.

“Let it not, I pray, be the least, that it prevents the Spilling of so much Human and Christian Blood. For a Thing so offensive to God, and terrible and afflicting to Men, as that has ever been, must recommend our Expedient beyond all Objections. For what can a Man give in Exchange for his Life, as well as Soul? And tho’ the chiefest in Government are seldom personally exposed, yet it is a Duty incumbent upon them to be tender of the Lives of their People; since without all Doubt, they are accountable to God for the Blood that is spilt in their Service. So that besides the Loss of so many Lives of importance to any Government, both for Labour and Propagation, the Cries of so many Widows, Parents and Fatherless are prevented that

can not be very pleasant in the Ears of any Government, and is the Natural Consequence of War in all Government.

"There is another manifest Benefit which redounds to Christendom, by this Peaceable Expedient; the Reputation of Christianity will in some degree be recovered in the Sight of Infidels; which, by the many Bloody Wars of Christians, not only with them, but one with another, hath been greatly impaired.

"Here is a wide field for the Reverend Clergy of Europe to act their Part in, who have so much the Possession of Princes and People too. May they recommend and labour this pacific Means I offer, which will end Blood, if not Strife; and then Reason, upon free Debate, will be Judge, and not the Sword. So that both Right and Peace, which are the desire and fruit of wise Governments, and the choice Blessings of any Country, seem to succeed the Establishment of this Proposal.

"The third Benefit is, that it saves money, both to the Prince and People; and thereby prevents those Grudgings and Misunderstandings between them that are wont to follow the devouring Expenses of War; and enables both to perform Publick Acts for Learning, Charity, Manufactures, etc.

"Our Fourth Advantage is, that the Towns, Cities and Countries, that might be laid waste by the Rage of War, are thereby preserved. A Blessing that would be very well understood in Flanders and Hungary, and indeed upon all the Borders of Sovereignties.

"The Fifth Benefit of this Peace, is the Ease and Security of Travel and Traffick. An Happiness never understood since the Roman Empire has been broken into so many Sovereignties. But we may easily conceive the Comfort and Advantage of traveling through the Governments of Europe by a Pass from any of the Sovereignties of it, which this League and State of

Peace will naturally make Authentick.

"Another Advantage is, The Great Security it will be to Christians against the inroads of the Turk, in their most Prosperous Fortune.

"The Seventh Advantage of an European, Imperial Dyet, Parliament, or Estates, is: That it will beget and increase Personal Friendship between Princes and States, which tends to the Rooting up of Wars, and Planting Peace in a Deep and Fruitful Soil.

"I will conclude this, my Proposal of an European, Sovereign, or Imperial Dyet, Parliament, or Estates, with that which I have touched upon before, and which falls under the notice of every one concerned, by coming Home to their Particular and Respective Experience within their own Sovereignties. That by the same Rule of Justice and Prudence, by which Parents and Masters Govern their Families, and Magistrates their Cities, and Estates their Republicks, and Princes and Kings their Principalities and Kingdoms, Europe may obtain and Preserve Peace among her Sovereignties. For Wars are the Duels of Princes, and as Government in Kingdoms and States, Prevents men being Judges and Executioners for themselves, over-rules Private Passions as to Injuries or Revenge, and subjects the Great as well as the Small to the Rule of Justice, that Power might not vanquish or oppress Right, nor one Neighbor act as Independency and Sovereignty upon another, while they have resigned that Original Claim to the Benefit and Comfort of Society; so this being soberly weighed in the Whole, and Parts of it, it will not be hard to conceive or frame, nor yet to execute the Design I have here proposed.

"But I confess I have the Passion to wish heartily, that the Honour of Proposing and Effecting so Great and Good a Design, might be owing to England, of all the Countries of Europe, as something of the Nature of our Expedient was, in Design and Preparation, to

the Wisdom, Justice, and Valour of Henry the Fourth of France, whose Superior Qualities raising his character above those of His Ancestors, or Contemporaries, deservedly gave him the Stile of Henry the Great. For he was upon obliging the Princes and Estates of Europe to a Political Balance, when the Spanish Faction, for the Reason, contrived, and accomplished His Murder, by the Hands of Ravilliac. I will not then fear to be censured, for proposing an Expedient for the Present and Future Peace of Europe, when it was not only the Design but Glory of One of the Greatest Princes that ever reigned in it; and is found Practicable in the Constitution of one of the Wisest and Powerfulllest States of it. So that to conclude, I have very little to answer for in all this Affair because, if it succeed, I have so Little to deserve; for this Great King's Example tells us it is fit to be done; and Sir William Temple's History shows us, by a Surpassing Instance, that it may be done; and Europe, by her Incomparable Miseries makes it now Necessary to be done; that my Share is only thinking of it at this Juncture, and putting it into the Common Light for the Peace and Prosperity of Europe."

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### **Kant's Essay Upon Perpetual Peace.**

A little more than a hundred years after the publication of the "Essay on the Peace of Europe," by William Penn, Immanuel Kant, the greatest of German metaphysicians and philosophers, published, in 1795, an "Essay Upon Perpetual Peace," from which the following extracts are taken:

**"To Eternal Peace."**

"Whether the above satirical inscription, once put by a certain Dutch innkeeper on his signboard on which a graveyard was painted, holds of man in general, or particularly of the heads of states who are never sated with war, or perhaps only of those philosophers who are always dreaming their sweet dream of peace, need not be here discussed. The author of the present essay claims for himself, however, in presenting his ideas the protection of one fact. The practical statesman when he comes in contact with the theoretical statesman assumes a haughty air, and looks down upon him with great self-satisfaction as a mere theorizer whose empty ideas can bring no danger to the state, founded, as it must be, on the principles derived from experience; the world-wise statesman may therefore, without giving himself any concern, allow the theorizer to throw his eleven skittle-balls all at once. This practical statesman must, therefore, in case of a contest with the theoretical statesman, so far proceed consistently as not to suspect that any danger to the state lurks behind the opinions which the latter ventures honestly and openly to express. The author of this essay feels assured that through this 'saving' clause he will be in the best manner possible protected against all malicious interpretation."

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**Which Contains the Preliminary Articles of a Perpetual Peace Between States.**

"I. No conclusion of peace shall be held to be such, which is made with the secret reservation of the material for a future war.



"2. No state having an independent existence, whether it be small or great, may be acquired by another state, through inheritance, exchange, purchase or gift.

"3. Standing armies shall after a time be entirely abolished.

"4. No national debts shall be contracted in connection with the foreign affairs of the state.

"5. No state shall interfere by force in the constitution and government of another state.

"6. No state at war with another shall permit such kinds of hostility as will make mutual confidences impossible in time of future peace; such as the employment of assassins, of poisoners, the violation of capitulation, the instigation of treason, in the state against which it is making war.

"7. The first definitive article for the securing of perpetual peace.—The civil constitution in every state shall be republican.

"8. Second definitive article for the establishment of perpetual peace.—International right shall be founded on a federation of free states.

"9. Third definitive article for the establishment of perpetual peace.—The right of men as citizens of the world shall be restricted to conditions of universal hospitality."

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### **"Of the Guarantee of Perpetual Peace."**

"Before we determine more exactly the way in which this guarantee of peace is accomplished, it will be necessary to examine the state arranged by nature for the persons who act upon her great stage, which makes peace at last necessary. Then we will try to determine the way in which she makes the guarantee.

"The arrangements provided by nature are these: (1). She has made it possible for men to live in all parts of the earth. (2) She has through war driven them everywhere, into even the most inhospitable regions, in order to people them. (3) Through this same means she has compelled them to enter into relations more or less in accordance with right.

"We must suppose also that it was nothing else but war which drove people into different regions.

"While nature has taken care that men might be able to live everywhere on the earth, she has at the same time despotically willed that they must live everywhere, even against their inclination. She has not, however, imposed upon them any sense of obligation thereto by means of moral law, but has chosen war as the means of compelling them to fulfill her purpose.

"As to her purpose of bringing about perpetual peace, the essential question now is: 'What does nature do in promoting this aim in reference to the purpose which man's own reason imposes upon him as a duty; what does she do in furtherance of his moral purpose; how does she make it certain that what man ought to do but does not do, as a free agent, shall be accomplished, without detriment to his freedom, by compulsion of nature—and that, too, in all the three relations of public right, namely, national right, international right and cosmopolitan right.' When I say of nature, 'She wills that this or that shall take place,' this is not the same as to say, 'She imposes upon us an obligation to do it'; for only the free practical reason can do this. The meaning is that she does it herself, whether we will or not (*fata volentem ducunt, nolentem trahunt*.)

"The idea of international right presupposes a number of independent neighboring states. Although such a state of things is really a state of war, unless there is some federative union between them to pre-

vent the outbreak of hostilities, yet from the standpoint of reason such a condition is better than their fusion into one through the influence of a power which subordinates the rest and passes into a universal monarchy. For laws lose in force in proportion as dominion increases in extent, and a soulless despotism, after it has rooted out the germs of good, at last lapses into anarchy. Every state, however, or at any rate its ruler, desires to put itself into a condition of lasting peace by bringing the whole world, if possible, under its sway. But nature wills it otherwise. She makes use of two means to prevent peoples from mixing and to keep them separate, viz., difference of language and difference of religion. This indeed affords opportunity for mutual hate and an excuse for war, but with the growth of civilization and the gradual approach of men to one another it leads to greater unity in principles and to that understanding which leads to peace. Such a peace is brought forth and securely established, not like despotism, by the weakening and destruction of all the forces of freedom, but through that equilibrium which is the result of a most active rivalry between them.

“Thus as nature wisely separates peoples whom the will of each state, even with professed respect for their international rights might unite to itself through cunning or violence, so on the other hand she brings together, through their mutual self-interest, peoples whom the idea of cosmopolitan right would never have secured against violence and war. The spirit of commerce, here meant, cannot tolerate war and sooner or later takes possession of every people. Because, of all the forces under the control of the power of the state, the power of money is the most indispensable. States see themselves compelled, of course not by motives of morality, to further the maintenance of peace, and, wherever in the world war threatens to

break out, to prevent it by mediation, just as if they were in a permanent league with each other for this purpose. For great combinations for the purpose of war can in the nature of the case only very rarely be made, and still more rarely can they succeed. In this manner nature guarantees perpetual peace through the mechanism of the human inclinations. Of course she does not do this with a sufficient certainty to enable us to make a definite prophecy of its future establishment. But the certainty is practically sufficient, and makes it a duty to work for the attainment of the end as not at all chimerical.

"If, therefore, it is a duty to try to bring about a general state of public right, if at the same time there is a well-grounded hope of realizing such a state, though only gradually and approximately, then perpetual peace, which is to follow in due time the hitherto falsely named treaties of peace (which have been really nothing more than armistices), is not a meaningless idea. It is a practical task whose solution will be gradually worked out. The goal will be gradually approached, and let us hope, because of the general progress of human society, that the day of its coming is drawing near."

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### Universal Peace.

An essay on universal peace, which appeared in Whelpley's Compend of History, in the year 1828, by Samuel Whelpley, A. M., Principal of the Newark Academy:

Universal peace. Although this idea is commonly received by Christians as a matter of faith, and by many others as a groundless theory, yet it seems capable of defence on the principles of reason.

It is generally said that a man wants but to under-

stand his own interest in order to pursue it. And nothing is more certain, than that the bulk of mankind need only to understand their true interest, in order to revolt from the idea of war with utter abhorrence. Look over the history of wars and see for whose benefit they have been undertaken and carried on. They have been generally waged to gratify the passion, and carried on to support the thrones of the most barbarous and detestable tyrants. Read the history of Alexander's wars. For what did his soldiers undergo intolerable hardships and, indescribable dangers, but to gratify his insatiable ambition? When such as escaped carnage had answered his purposes, covered by scars and disabled by toils, they were cast off as a worn out shoe or tattered garment and consigned to oblivion. The same may be said of most other great conquerors. It may, indeed, be urged that was furnished employment for men. So does robbery, and almost every other species of crime. And ought such a reflection as this to lie against Divine Providence? Can we for a moment surmise that men are thrown into such a condition here on earth as to have no other means of subsistence than schemes for the destruction of each other? God forbid. This argument in favor of war is an insult upon the Creator who said, "Thou Shalt Not Kill." It is also sometimes said that war is necessary to diminish population, and that otherwise the world would not hold mankind. Must then mankind become worse than wild beasts and cruel as devils in order to disburthen the world of its supernumerary inhabitants and thin the ranks of society?

He who has made man and given him the earth for his habitation intended it for his support, and there can be no doubt that could peace become permanent and universal, the arts of peace would so flourish that the earth would support more millions than it now

does thousands—the whole earth would at length become a garden.

Before the globe should acquire more inhabitants than it could support, Almighty Providence, ever at hand, and all whose course is marked with equal wisdom and benevolence, would help us to a solution of this difficulty in a way of which, in our present bewildered state, we can form no conception.

The plan suggested by Leibnitz and many others, of a universal language, or as some have styled it, a language of thoughts, would probably result from universal peace. To the hostility of nations may be reasonably imputed, in a great measure, their diversity of languages, customs and manners. By these they are divided as by walls of immeasurable height, and kept strangers to each other. They cherish not only personal animosities, but even an aversion to each other's religion, politics and learning. Could the veil be removed from human reason, and the true light of philosophy shine, men would learn to respect one another, and national prejudices would vanish away. Then also the prospects of pleasure and advantage, resulting from a more intimate union between nations, would produce numberless schemes to facilitate a communication, which could only be rendered complete and universal by a universal language.

That there will be a written language which all nations can read and understand is, in fact a thing far more probable to us than it can be to a savage who never heard of an alphabet or that there is such a thing as we call reading and writing. But what characters and combinations will compose that language, some future Cadmus must determine.

## CHAPTER X.

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### TRUE GRANDEUR OF NATIONS.

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#### Extracts from Charles Sumner's Oration.

"In obedience to an uninterrupted usage of our community, we have all, on this Sabbath of the Nation, put aside the common cares of life, and seized a respite from the never-ending toils of labor, to meet in gladness and congratulation, mindful of the blessings transmitted from the Past, mindful also, I trust, of the duties to the Present and the Future. May he who now addresses you be enabled to so direct your minds, that you shall not seem to have lost a day.

"With this aim, and, believing that I can in no other way so fitly fulfill the trust reposed in me, when I was selected as the voice of the City of Boston, on this Welcome Anniversary, I propose to consider what, in our age, are the true objects of National Ambition—what is truly National Honor—National Glory—**WHAT IS THE TRUE GRANDEUR OF NATIONS?** I hope to contribute something to rescue these terms, so powerful over the minds of men, from the mistaken objects to which they are applied, from deeds of war, and the extension of empire, that thenceforward they may be attached only to works of **JUSTICE** and **BENEFICENCE**.

"IN OUR AGE THERE CAN BE NO PEACE THAT IS NOT HONORABLE; THERE CAN BE NO WAR THAT IS NOT DISHONORABLE. The TRUE HONOR of a nation is to be found only in deeds of justice and beneficence, securing the happiness of its people, all of which are inconsistent with war. In the clear eye of Christian judgment vain are its victories; infamous are its spoils. He is the true benefactor and alone worthy of honor who brings comfort where before was wretchedness; who dries the tears of sorrow; who pours oil into the wounds of the unfortunate; who feeds the hungry and clothes the naked; who unloosens the fetters of the slave; who does justice; who enlightens the ignorant; who, by his virtuous genius, in art, in literature, in science, enlivens and exalts the hours of life; who, by words or actions, inspires a love for God and for man. This is the Christian Hero, this is the man of honor in a Christian land. He is no benefactor, nor deserving of honor, whatever his worldly renown, whose life is passed in acts of brute force; who renounces the great law of Christian brotherhood; whose vocation is blood. Well may old Sir Thomas Browne exclaim: 'The world does not know its greatest men'; for thus far it has chiefly discerned the violent brood of battle, the armed men springing up from the dragon's teeth sown by Hate, and cared little for the truly good men, children of Love, guiltless of their country's blood, whose steps on earth have been noiseless as an angel's wing.

"It cannot be disguised that these views differ from the opinions most popular with the world down to this day. The voice of man is yet given to the praise of military chieftains, and the honors of victory are chanted even by the lips of woman. The mother, while rocking her infant on her knees, stamps upon his tender mind, at that age more impressible than wax, the images of war; she nurses his slumbers with



its melodies; she pleases his waking hours with its stories; and selects for his playthings the plume and the sword. From the child is formed the man; and who can weigh the influence of a mother's spirit on the opinions of later life? The mind which trains the child is like the hand that commands the end of a long lever; a gentle effort at that time suffices to heave the enormous weight of succeeding years."

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### Blockades.

"There is, however, one other picture of the atrocious, though natural, consequences of war, occurring almost within our own day, that I would not omit. Let me bring to your mind Genoa, called the Suburb, City of Palaces, dear to the memory of American childhood as the birthplace of Christopher Columbus, and one of the spots first enlightened by the morning beams of civilization, whose merchants were princes, and whose rich argosies, in those early days, introduced to Europe the choicest products of the East, the linen of Egypt, the spices of Arabia, and the silks of Samarcand. She still sits in queenly pride, as she sat then, her mural crown studded with towers, her churches rich with marble floors and rarest pictures, her palaces of walnut doges and admirals yet spared by the hand of Time; her close streets, thronged by one hundred thousand inhabitants, at the feet of the maritime Alps, as they descend to the blue and tideless waters of the Mediterranean sea, leaning with her back against their strong mountain sides, over-shadowed by the foliage of the fig and the olive, while the orange and the lemon fill with their perfume the air where reigns perpetual spring. Who can contemplate such a city without delight? Who can listen to the story of her sorrows without a pang?

"In the last autumn of the last century, the armies of the French Republic, which had dominated over Italy, were driven from their conquests, and compelled with shrunk forces, under Massena, to seek shelter within the Walls of Genoa. After various efforts by the Austrian General on land, aided by a bombardment from the British fleet in the harbor, to force the strong defenses by assault, the city is invested by a strong blockade. All communication with the country is cut off on the one side, while the harbor is closed by the ever-wakeful British watch-dogs of war. Besides the French troops, within the beleaguered and unfortunate city, are the peaceful, unoffending inhabitants, more than those of Boston in number. Provisions soon became scarce; scarcity sharpens into want, till fell Famine, bringing blindness and madness in her train, rages like an Erinnyes. Picture to yourself this large population, not pouring out their lives in the exulting rush of battle, but wasting at noon-day, the daughter by the side of the mother, the husband by the side of the wife. When grain and rice fail, flax-seed, millet, cocoas and almonds are ground by hand-mills into flour, and even bran, baked with honey, is eaten, not to satisfy, but to deaden hunger. During the siege, but before the last extremities, a pound of horse-flesh is sold for thirty-two cents; a pound of bran for thirty cents; a pound of flour for \$1.75. A single bean is soon sold for four cents, and a biscuit of three ounces for \$2.25, and none are finally to be had. The miserable soldiers, after devouring all the horses in the city, are reduced to the degradation of feeding on dogs, cats, rats, and worms, which are eagerly hunted in the cellars and common sewers. Happy were now, exclaims an Italian historian, not those who lived, but those who died! The day is dreary from hunger; the night more dreary still from hunger, accompanied by delirious fancies. Recourse is now had to herbs, monk's rhubarb, sorrel, mallows, wild succory. Peo-

ple of every condition, women of noble birth and beauty, seek on the slope of the mountain inclosed within the defenses, those aliments which nature destined solely for the beasts. A little cheese and a few vegetables are all that can be afforded to the sick and wounded, those sacred stipendiaries upon human charity. Men and women, in the last anguish of despair, now fill the air with their groans and shrieks; some in spasms, convulsions and contortions, gasping their last breath on the unpitying stones of the streets; alas! not more unpitying than man. Children, whom a dying mother's arms had ceased to protect, the orphans of an hour, with piercing cries, seek in vain the compassion of the passing stranger; but none pity or aid them. The sweet fountains of sympathy are all closed by the selfishness of individual distress. In the general agony the more impetuous rush from the gates and impale themselves on the Austrian bayonets, while others precipitate themselves into the sea. Others still (pardon the dire recital) are driven to devour their shoes and the leather of their pouches, and the horror of human flesh so far abates, that numbers feed like cannibals on the bodies of the dead "

"It is often said: 'Let us not be wiser than our fathers.' Rather let us try to excel our fathers in wisdom. Let us imitate what in them was good, but not bind ourselves, as in the chains of Fate by their imperfect example. Principles are higher than human examples. Examples may be followed when they accord with the admonitions of duty. But he is unwise and wicked, who attempts to lean upon these rather than upon those truths, which, like the Everlasting Arm, cannot fail.

"In all modesty be it said, we have lived to little purpose, if we are not wiser than the generations that have gone before us. It is the grand distinction of man that he is a progressive being; that his reason at the

present day is not merely the reason of a single human being, but that of the whole human race, in all ages from which knowledge has descended, in ail lands from which it has been borne away. We are the heirs to an inheritance of truth, grandly accumulating from generation to generation. The child at his mother's knee is now taught the orbits of the heavenly bodies, 'Where worlds on worlds compose one Universe,' the nature of this globe, the character of the tribes of men by which it is covered, and the geography of nations, to an extent far beyond the ken of the most learned of other days. It is, therefore, true, as has been said, that antiquity is the real infancy of man; it is then that he is immature, ignorant, wayward, childish, selfish, finding his chief happiness in pleasures of sense, unconscious of the higher delights of knowledge, of justice, and of love. The animal part of his nature reigns supreme, and he is driven on by the gross impulses of force. He seeks contests, war and blood. But we are advanced from the childhood of man; reason and the kindlier virtues of age, repudiating and abhorring force, now bear sway. We are the true Ancients. The single lock on the battered forehead of Old Time is thinner now than when our fathers attempted to grasp it; the hour glass has been turned often since; the scythe is heavier laden with the work of death.

"Let us cease, then, to look for a lamp to our feet, in the feeble tapers that glimmer in the sepulchers of the past. Rather let us hail those ever-burning lights above, in whose beams is the brightness of noon-day."

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#### Discourse of Rev. Reuen Thomas.

In 1890 a discourse was delivered before the Universal Peace Congress, in the City of London, of which

the following are extracts. Its author, the Rev. Reuben Thomas, is a well-known Congregational clergyman and author, of Brookline, Massachusetts.

"Our position is not difficult to understand. We contend that war is the barbarian's method of settling difficulties; that it is altogether inconsistent with a civilization which exalts mind over matter—that it is animal, not human; that war is pagan, and not Christian, and that if there be any truth in the idea of evolution, which has dominated science in our generation, whatever apology or excuse may be urged in the past dark ages of the world, in our time of light and liberty war is out of harmony with every method which exists for settling disputes among civilized men. Pugilism is now regarded as degrading and hideous, and is left to the taste of the coarsest and most vulgar of men. Duelling is on its last legs—all but dead and buried. Why, then, should war remain? Is it not an anachronism? Why are we not thoroughly ashamed of it? Why do not men generally see it in its true nature? These are questions easy to ask, but not quite so easy to answer.

"I have remarked often how unwarlike in tone and temper are most of the men who were active soldiers in the war of the Rebellion in the United States. They know what war is. Did not General Grant, when in England, refuse to appear at a military review? The great soldier had seen so much of war, so much of its horrors, as well as of its 'pomp and circumstance,' that he wished never again to see another regiment of soldiers. If ever there was a hero, General Grant was one. He hated war as no one could hate it who had not seen its loathsome form in The Wilderness, at Appomatox, and on scores of other fields. No, let us not libel the soldier.

"It is impossible not to honor brave and bold men, whether it be those under Miltiades at Marathon, or

the equally noble six hundred at Balaklava, whether it be Wellington's Old Guard, or Cromwell's Ironsides.

"War does not create bravery ; it only reveals it as existing. Heroism exists and would exist if there were no war, but heroism can find a nobler and more congenial sphere than war in which to exercise itself. Heroism could be employed in the arts of peace. There is as much heroism on the mission field as on the battle-field. The mission field is the true battle-field of the world. It demands more heroism to plod on in the teeth of all but insuperable difficulties, than to fight at Sedan or Gettysburg or Waterloo. There is as much heroism in human nature today as ever there was. It is too rare and valuable an article for heartless politicians to waste on battle-fields. We may turn it in the direction of destruction, or in the direction of instruction and construction. We may use it to save men's lives or to destroy them.

"No words can picture war as it is. Not even if we had the pen of a Ruskin, or a Macauley, or a Milton, could we write out the miseries and horrors of war. Tell a man that during Napoleon's campaign in Russia there fell during one hundred and seventy-three days in succession an average of 2,900 men per day, a great city blotted out in six months, and he has no realizing sense of it. Tell him that between 1141 and 1815, and interval of six hundred and seventy years, this country of England was at war with France two hundred and sixty-six years, his imagination has not sweep enough in its wings to traverse such a fact. No canvas can picture war. Not even if we had the colors of a Titian, a Raphael, a Claude, or a Turner, could we picture war. No orator has ever attempted it, and succeeded. No artist has ever found himself where he could fling aside his brush and say, as he gazed on his canvas: 'Such, even as I have painted it—so much and no more is war.' War is one of those themes where exaggera-

tion is impossible. It is impossible to be fanatical in opposition to this most terrible of all the scourges of our race.

"The fact is, men have become so familiarized with war that its true character is unperceived. To such a degree has it darkened the conscience, polluted the imagination, befogged the intellect, and hardened the hearts of men, that not one man in a hundred ever quietly sits down and enters into an analysis of war. So long as a dark, ugly fact is at a distance we know it not. Not till it comes within our own doors, enters our homes, and tumbles its Caliban shape across our hearthstones, do we discern it as it is.

"A century has dawned in which the men of thought are to take the lead. No longer is greatness to be confined to men of force. No longer Nimrod the Great, Alexander the Great, Pyrrhus the Great, Hannibal the Great, Caesar the Great, Napoleon the Great, and other such Greats—all this greatness is passing away. The great destructionists are of the past. The era has dawned for great instructionists and great constructionists. In the years from 1791 to 1814, those twenty-three years of 'glory,' Europe expended daily 2,000 men. Each corpse on the battle-field cost England alone fifty pounds sterling. So that in those years of 'glory' with the seventeen millions of slaughtered men, Australia might have been peopled; and with the eight hundred million pounds sterling shot from the cannon's mouth by England, the face of the earth might have been changed, civilization planted everywhere, and ignorance and poverty suppressed throughout the world.

"The world's future, it seems to me, depends for its brightness and glory on a union of all English speaking nations in one great Confederacy of Peace, as preliminary to that wider internationalism of which the great-hearted poet-laureate has sung, 'the parliament

of man, the federation of the world.' Oh, let us pray for it—let us work for it. Great is he who consecrates himself to such an idea. We must ally ourselves to great causes. This is humanity's day. Small men in great places are at a discount. They have had their day. It has been a long, dark day. But the fountains of the great deep in human nature are being broken up, and the windows of heaven are opening. The baptism of the Spirit can never narrow men. It can never divide those who receive it. It must unite them. In front of us men are born, or are to be born, who shall be great constructionists, great missionaries, great human-hearted statesmen, for whoever believes that all power is given to our Lord Christ inevitably believes in a great future for men."



## CHAPTER XI.

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### SERMON ON PEACE.

Philip S. Moxom is a clergyman of Springfield, Mass. He is a popular speaker and writer, and has seen military service in the Civil War. In a sermon before the Chicago Peace Conference on August 20, 1893, he said:

"At last war is on the defensive. It has reached the apologetic stage. Its old assurance and arrogance are passing away. Even military budgets, once so popular, must now be excused to the people, and the main argument urged in their favor is the necessity of preserving peace. Conquest, extension of territory, and glory even, have lost their spell.

"The principal arguments by which war is now defended—it is no longer advocated—are:

"(1) Its antiquity. Men say war always has been, therefore it must always be. The inanity of the argument is too apparent. Once smallpox and cholera took their unobstructed way through communities and continents; but intelligence and care have almost extirpated the former, and the latter is rapidly losing its terrors.

"For long ages slavery cursed the human race; today it maintains a precarious existence only among savage and barbarous peoples. Duelling, which was for centuries a recognized means of avenging affronts to honor and settling disputes between man and man.

has ceased to be reputable, is branded by civil law in most countries as a crime, and has ceased to exist save rarely in a few exceptional communities. War has lingered long, and may linger still, but it, too, is doomed to extinction.

"(2) But, it is urged that human nature will of necessity perpetrate war. Men will always be subject to uncontrollable passion. Selfishness and hatred—greed of gain and lust of power—will always dominate.

"This argument ignores the moral progress of the species. The error of the older economists was their assumption that selfishness is the strongest, the most persistent and only stable motive to human action. But strong as selfishness is, it is weaker than love. Surely, if slowly, men are learning that they are bound together by ties that cannot be broken without loss and suffering to all. The real gain of each is the real gain of all.

"What is true of the family and the community is true of the nation, and we are beginning to see it is true also of the race. No nation can gain permanently at the expense of another nation.

"Age by age humanity advances. The average of human nature is higher today than at any time in the past. Men are steadily growing less cruel, less bestial and less selfish.

"Once war was the chronic condition of humanity. Now it is confessedly exceptional. Once a vocation, now it is, at most, an avocation.

"Everything points to its ultimate abandonment. Once nations were natural and instinctive enemies to each other; now they are bound together by a thousand ties of mutual knowledge, commerce, industry, science, education and charity.

"(3) A third and favorite argument in defense of war is the claim that there is no power save the military power, to guarantee the fulfillment of treaties

Civil law has its sanctions in police courts and prisons : so international law must have its sanctions in armies and navies.

"But this argument ignores the truth that the real guaranties of civil law are moral rather than material. The peace of a community is preserved by the moral sentiment of the majority. The public conscience has far greater force than police and military combined. This conservative force, inhering in the intelligence and moral sense of the people, grows stronger continually.

"We have but to broaden our application of the principle which we daily see to be operative in the narrow sphere of the nation, to the family of nations.

"The peaceful adjudication of international differences would soon become a habit.

"Already the practice of arbitration has been carried so far between England and the United States that the suggestion of war between these two countries would be treated as absurd by the vast majority of these people on both sides of the Atlantic who form public sentiment and shape public action.

"The influence of the example set by the English-speaking nations must be far-reaching and powerful.

"(4) But it is urged, finally, that readiness for war insures peace. There is a certain plausibility in this contention that hides its deep-lying fallacy. Once it was true. It is still true, perhaps, of those civilized communities that border on savage tribes. The show of brute force affects the brutal mind. But of the nations of Christendom it is no longer true. In a civilized community no man needs to carry weapons of defense to insure the respect of his neighbors and prevent them from encroaching on his rights.

"The possession of powerful weapons, such as the modern warships carry, is almost inseparable from a temptation to use them. Of what earthly use are these

floating fortresses and colossal guns save for the hellish purpose of destroying human lives? Of what use are vast armies of economically unproductive men, drilled and uniformed and armed, save for the purpose of butchering each other in the shortest possible time?

"In the present stage of human progress the true maxim is, 'If you desire peace, prepare for peace.'

"From the social point of view war is evil, and only evil.

"I. Because it is economically wasteful. It causes immense destruction of economic values. Aside from the enormous consumption of agricultural and mechanical products incident to the support of troops in camp or in the field, there is always a great amount of sheer destruction caused by the operations of armies both on the march and in battle. Conflagration accompanies war as its inseparable companion. The country which is the scene of a military campaign is wasted and desolated as if it had been swept by furies. Farms and vineyards, granaries and orchards, factories and villages are trampled and shattered and consumed. Cattle and sheep are slaughtered or dispersed beyond recovery. Horses are drafted into the service of death and perish miserably with their drivers or riders. In the economic waste the victors suffer only less than the vanquished. There is nothing more frightful than a great victory, save a great defeat. Always there is loss.

"Then there is economic waste from the countries engaged in strife of vast productive force. A million men in arms are a million workers removed from the cultivation of the soil and the mechanic arts. Even in time of peace the army is a constant and heavy drain on the productive energies of a nation; for thousands of artisans must idle in camps or spend in drill the strength that would enrich communities with industrial products.

"In the third place there is economic waste in t

derangement of public finance and the costly accumulation of debt to burden succeeding generations with heavy taxes on all forms of industry. The workers of the world today are giving a large percentage of their annual product to pay the interest on the cost of past folly and crime in the shape of needless wars. The National Debts of eighteen European States in 1891 amounted to about \$24,350,000,000, the great proportion of which huge sum has been incurred, directly or indirectly, by war. The interest on these debts amounts to \$1,071,400,000. The world is poorer by many billions of dollars and lower by many degrees in the scale of economic advancement than it would have been but for wars.

"2. But war is not only economically wasteful; it is also politically evil. With rare possible exceptions it obstructs the progress of popular freedom. War is the natural accompaniment and ally of despotism. The military spirit and habit are hostile to that free exercise of individual judgment and free play of individual action which are necessary to the best political life.

"3. War is obstructive to the social integration of humanity, through which it obtains its highest development.

"Our contention is against war, as an institution, the inevitable product of the military spirit. War, thus defined, is always and everywhere obstructive of social progress. A war may seem, incidentally, to aid social progress by producing changes which liberate social forces previously latent, but this is much like the contribution to a man's wealth which fire makes when it consumes his house by revealing gold that has been secreted in its walls. Human society advances in spite of the obstructing and demoralizing influence of military conflict.

"This natural and normal tendency of mankind is toward unity of thought and interest and action.

Human progress is advancement toward the realization of this unity throughout the entire race. It does not involve the destruction of national individuality any more than the unity of the family involves the destruction of the individuality of its members. The law of the universe is diversity in unity. The individual man completes himself in the unity of the family; the family completes itself in the unity of the nation; and the nation completes itself in the unity of mankind. 'The Parliament of man, the federation of the world,' is not the mere dream of a poet, but the certain goal of a great and inevitable sociological tendency and movement.

"The tendency toward a closer social unity of mankind which we see working in thousand-fold ways—in international commerce and charity, in interchange of literatures, and in the ever-increasing number of political, ethnological, social and religious congresses—is but the working of the universal force of spiritual gravitation by which the multiform life of humanity is drawn to its true center and unity in God, and which is to culminate in the final perfect social organization of the race in the Kingdom of God.

"The philosophy of evolution, which approaches the problem of human life from the purely scientific side, while accounting for wars in the past, interpreting them on the material plans as features of the struggle for existence through which the fittest survive, logically points to the abolition of war.

"The moment we pass up from the material plans to the moral, the evolution takes on new phases. On the higher plans it is the morally fittest that survive, and the morally fittest survive not by destruction but by conservation; that is, by service. The strong protect the weak, so that the weak become strong. Man climbs not by pushing down his rival, but by lifting him up, so that both mount together.

"From the social point of view, then, war is evil and only evil. It destroys or hinders the largest products of industry, and is therefore economically wasteful; it represses the instincts of freedom and retards the progress of civil liberty, and is therefore politically evil. It checks the great social tendency towards the integration and unity of the nations of the world in a common life of good will and mutual helpfulness, and is therefore socially maleficent."

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### **The Moral Aspects of War.**

"Now in the first place war is directly opposed to the law of love. 'Thou shalt love thy neighbor as thyself' is a fundamental principle of rational ethics. Love never works harm; it seeks and accomplishes only good. But war, if not the expression of hatred between the contending nations, rapidly develops hatred that is passionate and pitiless. Meanwhile in its every stage it works harm to all concerned. In a word, war, unjustified by a clear moral necessity, is murder, robbery, and arson on a colossal scale. It is indiscriminating murder. The innocent suffer with the constructive guilty, and often the innocent suffer the most.

"In the second place, war is enormously prolific of vices and crimes. Cruelty, drunkenness, and licentiousness thrive in camp and field, and spread like a contagious disease through communities that are infected by the presence of armies. Long after armies are disbanded the bad product survives and perpetuates itself. Always the morality of civil life is lowered by a war, and at its close, and long after, criminal statistics show a marked increase.

"Military life promotes an appalling carelessness of human life and great disregard of rights in property.

Often the forager becomes a thief. Unquestionably there has been vast improvement in military discipline in recent times and the property and lives of non-combatants are much safer now than in former times. But the best that can be said is that there has been a reduction of the evils incident to war. Those evils can not be wholly abated while war continues to be the means of settling international differences.

"Let us stand with our faces to the future. War belongs to the past with its long, slow struggle out of bestiality and barbarism. With widening intelligence men rise to higher planes of endeavor and conflict. The brotherhood of man is no longer a dream, but a growing experience. The arts of peace are driving out the horrid arts of war. East and West, North and South, the nations are feeling a common impulse. It is the gentle but strong force of universal love pulsing from the heart of the eternal God.

"When the war-drums throb no longer and the battle flags are furled  
In the parliament of man, the federation of the world."

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#### Address of Lord Russell.

In August, 1896, at the Nineteenth Annual Meeting of the American Bar Association, held at Saratoga Springs, Lord Russell, the Lord Chief Justice of England, delivered an address upon International Law and Arbitration, which, on account of the fame and position of its author, the force of its logic, and the brilliancy of its statement, attracted universal attention and marked an era in the development of peace sentiments. After acknowledging the honor of the invitation to address the meeting, and congratulating his audience



upon the good feeling and pleasant relation existing between Great Britain and the United States, he discussed his topic substantially as follows:

"I know no better definition of International Law than that it is the sum of the rules and usages which civilized states have agreed shall be binding upon them in their dealings with one another. We do not indeed find all those rules recorded in clear language. We look for them in the long records of customary action; in settled precedents; in treaties affirming principles; in state documents; in declarations of nations in conclave—which draw to themselves the adhesion of other nations; in declarations of text writers of authority generally accepted; and lastly, and with most precision, in the field which they cover, in the authoritative decisions of Prize Courts.

"From these sources we get the evidence which principle, whether or not a particular canon or conduct, or a particular principle, has or has not received the express or implied assent of nations.

"International Law, as we know it, is a modern invention. It is in a state of growth and transition. To codify it would be to crystallize it; uncoded, it is more flexible and more easily assimilates new rules. Like all law, in the history of human society, it begins with usage and custom.

"The foundation of the law of nations lies in this: that the human race, though divided into various peoples and kingdoms, has always a certain unity, which is not merely the unity of species, but is also political and moral, and is shown by the natural precept of mutual love and pity which extends to all people, however foreign they may be to one another, and whatever may be their character or constitution. From which it follows that although any state, whether a republic or a kingdom, may be a community complete in itself, it is nevertheless a member of that whole

which constitutes the human race; for such a community is never so completely self-sufficing but that it requires some mutual help and intercourse with others, sometimes for the sake of some benefit to be obtained, but sometimes, too, from the moral necessity and craving which are apparent from the very habits of mankind. On this account, therefore, a law is required by which states may be rightly directed and regulated in this kind of intercourse with one another. For just as within an individual state custom gives rise to law, so for the human race as a whole, usages have led to the growth of laws of nations; and this the more easily inasmuch as the matters with which such laws deal are few and are closely connected with the Law of Nature, from which they may be deduced by inference, which though not strictly necessary, so as to constitute laws of absolute moral obligation, still are very conformable and agreeable to nature, and therefore readily accepted by all.

"I consider first, the part played by the United States in shaping the modern tendencies of International Law, and next, whither those tendencies run. It is not too much to say that the undoubted stream of tendency in modern International Law to mitigate the horrors of war, to humanize or to make less inhuman its methods, and to narrow the area of its consequential evils, is largely due to the policy of your statesmen and the moral influence of your jurists.

"The reason why you thus early in your history as an independent power took so leading and noble a part in the domain of International Law is obvious and interesting.

"In the first place, you were born late into the family of Nations. When you asserted your independence, the laws of the family of nations, of which you then became a member, were bound up with and became in part a justification for your existence as a

sovereign power, and assumed for you importance and pre-eminence. Further, your remoteness from the conflicts of European powers, and the wisdom of your rulers in devoting their energies to the consolidation and development of home affairs, gave to your people a special concern in that side of International Law which affects the interest, rights and obligations of neutrals; and thus it has come to pass that your writers have left their enduring mark on the Law of Nations touching allegiance, nationality, neutralization and neutrality.

Amongst the evils of war that have been mitigated by more humane customs are: (1) the greater immunity from attack of the persons and property of enemy-subjects in a hostile country; (2) the restrictions imposed on the active operations of a belligerent when occupying an enemy's county; (3) the recognized distinction between subjects of the enemy, combatant and non-combatant; (4) the difference accorded to cartels, safe conduct and flag of truce; (5) the protection secured for ambulances and hospitals and for all engaged in tending the sick and wounded—of which the Geneva Red Convention of 1864 is a notable illustration; (6) the condemnation of the use of instruments of warfare which cause needless suffering.

“In this field of humane work the United States took a prominent part. When the Civil War broke out President Lincoln was prompt in entrusting to Professor Franz Lieber the duty of preparing a manual of systematized rules for the conduct of forces in the field—rules aimed at the prevention of those scenes of cruelty and rapine which were formerly a disgrace to humanity. That manual has, I believe, been utilized by the governments of England, France and Germany.

“In our own times the desire has spread and grown strong for peaceful methods for the settlement of international disputes. The reason lies on the surface. Men

and nations are more enlightened; the grievous burden of military armaments is sorely felt, and in these days when, broadly speaking, the people are enthroned, their views find free and forcible expression in a world-wide press. The movement has been taken up by societies of thoughtful and learned men in many places. Some ninety-four voluntary peace associations exist, of which some forty are in Europe and fifty-four in America. Several congresses have been held in Europe to enforce the same object.

"In 1873 the Association for the Reform and Codification of the Law of Nations was formed, and it is today pursuing active Propaganda under the name of the International Law Association, which it adopted in 1894. It also has published a report affirming the need of a system of International Arbitration.

"In 1888 a congress of Spanish and American jurists was held at Lisbon, at which it was resolved that it was indispensable that a tribunal of arbitration should be constituted with a view to avoid the necessity of war between nations.

"But more hopeful still—the movement has spread to legislative representative bodies. As far back as 1833 the Senate of Massachusetts proclaimed the necessity for some peaceful means of reconciling international differences, and affirmed the expediency of establishing a Court of Nations.

"In 1890 the Senate and the House of Representatives of the United States adopted a concurrent resolution, requesting the President to make use of any fit occasion to enter into negotiations with other governments, to the end that any difference or dispute which could not be adjusted by diplomatic agency might be referred to arbitration and peacefully adjusted by such means.

"The British House of Commons, in 1893, responded by passing unanimously a resolution express-

ive of the satisfaction it felt with the action of Congress and the hope that the government of the Queen would lend its ready co-operation to give effect to it. President Cleveland officially communicated this last resolution to Congress, and expressed his gratification that the sentiments of two great and kindred nations were thus authoritatively manifested in favor of the national and peaceable settlement of international quarrels by recourse to honorable arbitration. The parliaments of Denmark, Norway and Switzerland, and the French Chamber of Deputies, have followed suit.

“Experience has shown that international differences may honorably, practically and usefully be dealt with by peaceful arbitrament. There have been since 1815 some sixty instances of effective international arbitration. To thirty-two of these the United States has been a party, and Great Britain to some twenty of them. There are many instances also of the introduction of arbitration clauses into treaties. Here again the United States appears in the van. Amongst the first of such treaties—if not the very first—is the Guadalupe-Hidalgo Treaty of 1848, between the United States and Mexico. Since that date many other countries have followed this example. In the year 1873 Signor Mancini recommended that, in all treaties to which Italy was a party, such a clause should be introduced. Since the Treaty of Washington such clauses have been constantly inserted in commercial, postal and consular conventions. They are to be found also in the delimitation treaties of Portugal with Great Britain and with the Congo Free State, made in 1891. In 1895 the Belgian Senate, in a single day, approved of four treaties with similar clauses, namely: treaties concluded with Denmark, Greece, Norway and Sweden.

“There remains to be mentioned a class of treaties in which the principle of arbitration has obtained a

still wider acceptance. The treaties of 1888, between Switzerland and San Salvador; of 1888, between Switzerland and Ecuador; of 1888, between Switzerland and the French Republic; and of 1894, between Spain and Honduras, respectively, contain an agreement to refer all questions in difference, without exception, to arbitration. Belgium has similar treaties with Venezuela, with the Orange Free State, and with Hawaii.

"These facts, dull as is the recital of them, are full of interest and hope for the future.

"Again trade and travel are great pacificators. The more nations know of one another, the more trade relations are established between them, the more good will and mutual interests grow up; and these are powerful agents working for peace.

"It is hardly too much to say that arbitration may fitly be applied in the case of by far the largest number of questions which lead to international differences. Broadly stated, (1) wherever the right in dispute will be determined by the ascertainment of the true facts of the case; (2) where, the facts being ascertained, the right depends on the application of the proper principles of international law to the given facts, and (3) where the dispute is one which may properly be adjusted on a give-and-take principle, with due provision for equitable compensation, as in cases of delimitation of territory and the like—in such cases the matter is one which ought to be arbitrated.

"There is one influence which by the Law of Nations may be legitimately exercised by the Powers in the interests of Peace—I mean mediation. The mediator is not, at least, in the first instance invested, and does not seek to be invested, with authority to adjudicate upon the matter in difference. He is the friend of both parties. He seeks to bring them together. He avoids a tone of dictation to either. He is careful to avoid, as to each of them, anything which

may wound their political dignity or their susceptibilities. If he can not compose the quarrel, he may at least narrow its area and probably reduce it to more limited dimensions, the result of mutual concessions; and, having narrowed the issue, he may pave the way for a final settlement by a reference to arbitration, or by some other method. This is a power often used with good results. It is obvious that it requires tact and judgment as to mode, time and circumstances, and that the task can be undertaken hopefully only where the mediator possesses great moral influence and where he is beyond the suspicion of any motive except desire for peace and the public good.

"There is no class of questions in which mediation may not, time and occasion being wisely chosen, be usefully employed.

"Mr. President, I have but touched the fringe of a great subject. No one can doubt that sound and well-defined rules of International Law conduce to the progress of civilization and help to ensure the peace of the world.

"What, indeed, is true civilization? By its fruit you shall know it. It is not dominion, wealth, material luxury; nay, not even a great literature and education widespread; good though these things may be. Civilization is not a veneer; it must penetrate to the very heart and core of societies of men.

"Its true signs are thought for the poor and suffering, chivalrous regard and respect for woman, the frank recognition of human brotherhood, irrespective of race, of color, of nation or religion, the narrowing of the domain of mere force as a governing factor in the world, the love of ordered freedom, abhorrence of what is mean and cruel and vile, ceaseless devotion to the claims of justice. Civilization in that, its true, its highest sense, must make for peace. We have solid grounds for faith in the future. Government is becom-

ing more and more government of the people, by the people, and for the people. Populations are no longer moved and manoeuvred as the arbitrary will or restless ambition or caprice of kings or potentates may dictate. And although democracy is subject to violent gusts of passion and prejudice, they are gusts only. The abiding sentiment of the masses is for peace—for peace to live industrious lives and to be at rest with all mankind. With the prophet of old they feel, though the feeling may find no articulate utterance: 'How beautiful upon the mountains are the feet of Him that bringeth good tidings, that publisheth peace.' ”



## CHAPTER XII.

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### TOLSTOI ON CHRISTIANITY AND WAR.

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**"Thou shalt not kill."**

In the year of 1896 Count Leon Tolstoi, one of the greatest reformers of Russia, said in part:

"One may not see a thing that has failed to attract his attention, and one may not appreciate the importance of an act so long as the day has not yet dawned. But as soon as a strong light is thrown upon it, and it is once understood, he cannot shut his eyes to it or appear to see it vaguely. It is true that men can still be found who do not realize what they accept in becoming soldiers, just as there are people who hope for war with foreign nations, or who wish to continue to oppress the poor, or even people who like murder for the sake of murder.

"But they can no longer ignore the fact that there are men—and the best in the world—not only among Christians, but among the other great religious faiths, who look on war and on those concerned in it with disgust and horror; and the number of these men increases hourly. No argument can weaken the simple truth that a man with self-respect cannot submit to become the slave of an unknown or even a recognized leader, who entertains plans of murder.

"'But the hardships to which they who do not submit expose themselves,' is the reply. 'It is well for you who are an old man, who could not be made to

undergo this proof, and whose position shelters you, to exhort others to martyrdom; but what of those whom you exhort and who, having been convinced, suffer in consequence?" "But what can I do?" I reply. "What! Because I am an old man, I ought not to proclaim the wrong that I see distinctly, and that I see precisely because I am old, and because I have seen a great deal and thought a great deal?"

"If a man, finding himself on the other side of a river, and hence sheltered from the attack of a brigand, saw that the brigand wished to force one man to kill another, ought he not to cry, 'Hold!' to the man who is killing, even if this intervention should increase the ferocity of the brigand? Moreover, I do not see why the government which persecutes those who refuse to become soldiers should not turn its blows against me, recognizing in me the instigator of these refusals.

"I am not too old to be the object of persecution or to receive all sorts of punishments. But whether I am judged and punished or not, whether those who refuse are judged and punished or not, so long as I live I shall not cease to say what I say now, because I cannot cease to act in accordance with my conscience.

"Christianity—that is to say, the teaching of truth—is strong and invincible precisely in this, that it does not need to bring any outside considerations to bear upon men. Whether he is young or old, whether or not he exposes himself to persecution, the man who has assimilated Christianity—that is to say, a true comprehension of life—cannot escape the exigencies of his conscience. These are the real features and character of Christianity which distinguish it from all other religious doctrines, and which give it an irresistible power.

"At the beginning the power of resistance is so strong and the conscience so weak that the first attempt made to free one's self from prejudice pro-

vokes only astonishment. The new truth appears as a folly. 'Is it possible to live without slavery? Who will work? Is it possible to live without war? Everybody will come and conquer us.' But the conscience continues to believe and the force of inertia continues to weaken, until surprise takes the place of ridicule and contempt.

"The Holy Scriptures recognize masters and slaves. These conditions have always existed, and all of a sudden here are some clever people who desire to reform the world,' they said in regard to slavery.

"All the scholars and all the philosophers have admitted the lawfulness and even the beneficence of war. Shall we suddenly come to the conclusion that it is not necessary?' they say of war.

"But the conscience grows and becomes enlightened all the time. The number of people who admit the new truth is constantly increasing, and craft and deceit succeed the ridicule and contempt. The partisans of error feign to understand and to acknowledge the enormity and the cruelty of the measure they defend ;but they consider its destruction impossible at the present time and postpone it to an indefinite future.

"Who does not know that slavery is a wrong? but men are not yet ready for liberty and freedom,' they said forty years ago. 'Who does not know that war is wrong? but humanity is in a state so near that of the brutes that its suppression would cause more harm than good,' they say now.

"But the mind pursues its task and consumes the lie; and the time draws near when the folly, the stupidity, the danger, and the immorality of the prejudice will be so apparent (as we can remember happened with slavery in Russia and America) that there will no longer be any means of defending it. Just as then, they no longer sought to justify slavery, but kept it up, so now they do not try to justify war and armies,

but reply with silence, trusting to the force of inertia, owing to which war and armies still exist. They know very well that this organization for ferocious and immoral murder, in appearance so powerful, may crumble at any moment, never to rise again. It is only necessary for a drop of water to trickle through a dyke, for one brick to be removed from an immense edifice, for a knot to be undone in the strongest net, and a breach appears in the dyke, the edifice crumbles, and the net unravels."

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#### **Extracts from Addresses of Benjamin F. Trueblood.**

For many years Benjamin F. Trueblood has been Secretary of the American Peace Society. In 1895, at Boston, he delivered an address before the New England Convention of the National Reform Association, from which the following is taken:

"A nation's responsibility for making and keeping peace, in its relations to other nations, is the same as that of the individual in his relations to other men. There is not one moral law for men and another for nations. The principles which govern the life and conduct of the one are equally obligatory in the case of the other. The moral law is as unbending, the conscience as imperative when a man voluntarily compounds his deeds with those of other men as when he acts alone. Whatever in principle is a crime for a man is a crime for a nation.

"Individuals are under obligation to accept and to follow the moral law of right, and the Christian law of love. The Golden Rule spans the seas and reaches across national frontiers. It is a radically false position that a nation exists for itself alone, for the exclusive good of its own people. It exists for others as for itself. The law of love and of self-sacrifice is the very highest part of the expression of its outgoing life.

No nation can rightly be called Christian which does not, in its relations to all other peoples, follow this law. If it be impossible, as has been asserted in prominent quarters, to found and conduct a State on the principles contained in the Sermon on the Mount, then no Christian nation can ever exist. From all this it follows that positive peace-making, not peace-keeping merely, but the effort to bring the peoples of the earth to a permanent state of peace and harmonious co-operation, is the very highest of the nation's obligations.

"The responsibility of a nation rests upon its geographical position and limits; its intellectual and moral enlightenment; its power of exerting influence; its religious, social and political ideals and purposes; and its general historic character and development. Looked at from these various standpoints, it will be easily seen that responsibility for the creation and maintenance of the peace of the world rests upon the United States as upon no other country.

"Our country is predestined by its geographical position and extent to be the peace-maker of the world; it ought to give all diligence to make its calling and election sure. With the exception of the northern and about half of the southern frontier we have no border line connecting us with other nations. The wide seas intervene. This separation relieves us of many of the complications and anxieties which arise from close proximity. It tends to make us a quiet, peace-loving, peace-seeking, unarmed people. It has been difficult to maintain a militia on our soil. No effort has ever been made to have much of a standing army, and our navy, about which we have been most tempted to sin, has led a precarious existence. It is true that by reason of the cable and the swifter-growing ships we are constantly getting nearer to other countries and are in increasing danger of losing the peaceful spirit which our isolation has had much to do with creating. But

the isolation can never be wholly overcome and will continue to exert a benign influence.

"Passing to the power to exert influence, the United States certainly stands alone. Her great extent and variety of territory; her population already nearly double in size to that of any other civilized country, except Russia; her vast wealth and inexhaustible resources; her general intellectual enlightenment and moral and religious advantages; the character of her civil and political institutions—all these invest her with a tremendous power of influencing the world's destinies.

"The peace of the world has been powerfully promoted by our union of States and by the Supreme Court, which constitutes in reality a great inter-state tribunal, of the same type as that which it is proposed to establish for the nations of the world.

"Differences between the States, where there have been any, have gone to the Supreme Court and there been settled with less difficulty than differences between individuals in the ordinary courts of law. The United States of North America are the prefiguration and the first historical exemplification of what is sometimes, in some form, to be the United States of the World, the result of which shall be universal and perpetual peace.

"Our theory that a man of any land has a right to choose his home wherever he can find one, and change it as often as he pleases, has done much to break down international prejudices and exclusiveness, and thus prepare the way for peace. Up to the beginning of this century it was held that a man owes perpetual allegiance to the country in which he was born. This theory of slavery to country the United States has destroyed. Whoever becomes a naturalized citizen of this country ceases to owe any allegiance to his native land, whether he be at home or on the remotest foreign

shore. The same is true of an American who chooses to adopt the citizenship of another country. By opening our citizenship to people of all lands we have proclaimed aloud the brotherhood and essential equality of right and privilege of all men.

"The United States has likewise nobly met its responsibility for peace by arbitrating nearly all of its difficulties with foreign countries, by acting as arbitrator between other nations and by using its good offices to bring other governments to adjust their conflict by peaceful means. Over against three wars we are able to set thirty-seven cases in which our country has settled important differences with other nations by arbitration. In nearly a dozen instances the President of the United States has been called upon to act as arbitrator for other powers, and in recent years our ambassadors, ministers and consuls have been doing much to promote peace in all quarters of the globe.

"The great problem of the world today is international reconciliation, the arrest of militarism, disarmament.

"We stand at this hour of our national life at the parting of the ways. Calling us from one direction comes the sound of the martial drum-beat, the shout of gathering armies, the syren song of the 'pomp and circumstance' of war, the clang of the armor-clad old world, the cry of the wounded and dying past, the voice of fear and distrust which fly to bayonets and cannon for defense. From the other road comes the call of love and truth, of spiritual freedom, of civil and religious liberty; the voice of our national destiny, of peace and good-will and human brotherhood; the voice of the happy and trustful future; the voice of the Prince of Peace."

**Speeches Before the Mohonk Conference.**

Since 1894 there have been Annual Conferences on International Arbitration by eminent Americans and distinguished foreign visitors at Lake Mohonk, in the State of New York. The following are extracts from speeches which have been made at different times before these conferences and which have been a great factor in promoting peace and good will among men:

From Hon. Rufus B. Cowing—"We have heard much in the past few years about the concert of nations, which have been actuated by selfish and unholy objects. What we want now is a concert of the nations whose purpose shall be to establish a code of laws broad enough to regulate the conduct of nations in their intercourse with each other, and to establish a great court of arbitration broad and extensive enough in its jurisdiction to settle any and all differences which may arise between the nations of the earth. Then can the armies of the nations be disarmed and disbanded, and the ships of the navies be turned into messengers of peace and commerce, and the efforts of the governments can be given to settling the great social problems of the age and ameliorating the condition of the masses.

"It is the hope of this conference that the time may come when there shall be no more war on the face of the earth. It seems to me that if that hope is to be realized we must not talk so much of war. We shall never have arbitration until we discourage people from constantly talking of war. It has been truly said: 'As a man thinketh in his heart, so is he.' You cannot talk and prepare for war all the time and not have war. Let us cultivate the principles of peace, and sink out of our thoughts the subject of war. How little we appreciate this mighty force of human thought. Learn to think right and you will act right. Therefore let



us discourage warlike preparations. Educate the people to think that it is wrong to kill; that the Divine command against murder applies as well to bodies of men as to the individual. Let us abolish from our schools everything pertaining to a military education, disarm our armies, abolish our navies; and do everything we can to cultivate peace, and then we will have accomplished the object of this Arbitration Conference."

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### **The Influence of Commerce in Promoting Peace.**

By Hon. William J. Coombs—"My experience as a merchant (and it has been my fortune to do business with every nation of the earth) has convinced me that commerce has done more to civilize nations and bring them closer together and inspire in them confidence in one another, than has been accomplished by the various organizations of government. While its operations are carried on under the nominal protection of governments, it has been law unto itself, and has in great part created its own machinery. Where government has interfered and attempted to override their laws by enactments they have either been practically ignored or swept away as by a flood.

"Government can do little more than establish standards common to all; it cannot create or regulate the machinery to carry on the intricate operations of the merchant. These laws and this machinery have been of gradual evolution, dating from the time when men exchanged one commodity for another by barter, hand to hand delivery, until now, when transactions covering billions of dollars are consummated upon the faith of documents representing values of merchandise. I give an illustration. The merchant ships his goods upon a vessel bound for a foreign port, for which the

captain gives him a bill of lading. The insurance company, without having seen the goods, insures them and issues a policy. With these two documents attached to his invoice, the merchant sells his bill of exchange to the banker and receives the money for it. All is based upon confidence, which is seldom betrayed.

"During my business life I received thousands of these bills of exchange drawn upon European bankers by men in the cities and ports of South America or Africa, or in towns up the Amazon, or from back upon the slopes of the Andes, and confidently sold them in the market without misgivings of their acceptance and payment at maturity, and I can not now recall a case in which they were not paid either by the party upon whom they were drawn, or the drawer or the endorser.

"The world is a great deal more honest than most people think. My experience has convinced me that honesty is the rule and dishonesty the exception. In a business reaching all over the world, not only with commercial centres, but with out of the way places, such as the mountains of South America, the colonies of Africa, and even with the deserts of Arabia, with places where it was impossible to enforce collection by law, in such a business extending through a generation, my losses from dishonesty were less than one-sixteenth of one per cent. upon the amount of the operations.

"There is a great temptation for me to enlarge upon the manner in which commerce weaves together, upon the warp of intelligent self-interests, the various nations of the earth. You have in your mind the steamship and the sailing vessel breasting the waves of the ocean, and the railroad train dashing across the continent, but you do not remember the caravan in the desert going from oasis to oasis, of the llama train winding down the mountain trail to the seaport; yet all are shuttles binding and weaving the fabric of brotherhood.

"In comparison with this advance towards brotherhood and a better understanding of one another on the part of the people of various nations, the progress made in that direction by organized governments has been slow and halting. The unwritten laws evolved by mutual necessities have proved to be more helpful than treaties and statutes. Government can never rise above the medium level of public morality. Commerce rises to the highest level and holds its votaries there.

"From what I have said you will understand that I believe strongly in the influence of commerce in knitting the peoples of the world together, and I believe no less strongly in the influence of Christianity. We must not underrate or give a second place to the benefits and the influence of the blessed religion which is today discredited by so many. Let us hold fast to our faith in that, while we use all our minor agencies, and we can look forward confidently to the time when the Lord shall make of all nations one people."

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### Women's Sentiments.

From Mrs. Hannah J. Bailey—"The subject of peace is one of vital importance to woman. It is her mission to bring life, not death, to this world. It is not consistent with this mission that she should bring sons into the world, and in sorrow and self-sacrifice bring them to noble manhood to be slain in battle. The life of one boy (if he were 'my boy') is of more value than is the perpetuation of a government. His soul will live when all governments have passed away. It is therefore his right to live all the days of his appointed time in this state of preparation for eternity.

"Peace is related to woman because war breaks up her home. It widows her and makes her children fatherless.

"Woman, who suffers so through warfare, certainly desires arbitration. With the banishment of militarism we shall banish myriad evils. With peace we shall bring in all things good.

"We hope to see the discontinuance of the manufacture of military toys for children, the toy pistols and guns particularly, which have occasioned so many accidental deaths. We want to see the end of military education for children, and we hope the time is not far distant when the war stories which now have a place in the books which our children read and study will be expunged, and their places occupied with stories and incidents written in the interests of peace and peaceful pursuits. We are sure this will be brought about if Christian women do their duty and exert an influence to fulfill the prediction of the song of the angels, 'Peace on earth.'

"That coveted time when there will be a brotherhood of nations is surely coming, and we rejoice that women can have a part in hastening its advent."

From Mrs. Donald McLean—"Has ever a man shed blood that a woman's eyes were not filled with tears? And yet, was there ever a woman who kept from the field her hero? Think, then, of the exquisite happiness which will come to a woman's soul when she knows that to the sons at her knee she can teach peace, because the united nations of the world have said it is the highest thing a man can learn. I am more prouder of my country's flag when it speaks for permanent peace than I have ever been when it waved over warfare; and its magnificent folds will fall more serenely and tranquilly than ever when a permanent international court of arbitration is established."

From James Grant Wilson—"I will venture to invite you to listen to a few words concerning two great advocates of arbitration, who were chiefly the cause of averting war in recent days between this country and the motherland.

“Grant and Gladstone, who were probably the purest men, in thought, word and deed, that have appeared in public life during the present century, were associated in relieving a condition of affairs which seemed perilously near to war. It was seriously thought that diplomatic communication would be discontinued between the two countries, with the almost absolute certainty that war would follow such a step. It is Gladstone’s highest claim to honor and remembrance among Americans that, at the expense of personal popularity he put aside thoughts of war and consented to arbitrate the serious differences then existing between this country and England over what are known as the ‘Alabama claims.’

“Mr. Gladstone once said: ‘Before many years the Anglo-Saxon nations will unite, and there will never again be war, or thought of war, between these two powerful nations.’ Almost the identical sentiment was expressed by General Grant a short time before he left New York for the last time in the early summer of 1885.”

Dr. Reuen Thomas, in his speech before the Fifth Annual Lake Mohonk Conference, in 1899, shows what constant teaching and example will do for peace. He said: “The Emperor of Russia has called the attention of the world today to this matter of peace, and all that has been said of this Emperor is perfectly justified. We must remember that he is descended from three men, all of whom were ardent for peace. His father used to instruct his children in the principles and practice of peace. He had been in one campaign, and had come out of it so disgusted with war that he constantly taught his children to promote peace among the nations. His grandfather, again, was a man of similar habit of mind. His great-grandfather’s brother, Alexander I., was an ardent advocate of peace. If heredity and education have any influence, these facts

ought to encourage us all and make us thankful that that distinguished assembly, such an assembly as has never gathered in the history of the world, is today engaged in its noble and glorious work at The Hague. I trust that the result of those deliberations may be accomplished, and that we shall have for Europe, and eventually for the world, at no distant future, a permanent Tribunal to which all difficulties between nations can be referred."

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### **The Thunder of Public Opinion.**

Mary Elizabeth Blake is a well-known author of Boston. She is of Irish birth, and has written much both in prose and verse. She has written as follows:

"When we talk of the needs of humanity and try to unlock some of the thousand and one petty hindrances which close the doors of happiness and prosperity, why do we not first strive to gather together all strength, all aims, all energy, until mankind, in one unanimous thunder of public opinion, demands for itself relief from this infernal and monstrous evil? Why do we not, in school and college, in workshop and study, in the street and on the housetop, by the press and by the pulpit, teach, talk, and preach until the irrational aspect of this subject of war shall become familiar to the world which now accepts it almost unquestionably?

"Within a decade the world has known the adjustment of the fisheries dispute, the decision of the Venezuelan Boundaries, the appeal of the Czar of Russia for universal disarmament, and the great Peace Conference of The Hague. Within less than three decades from the date of the settlement of the Alabama claims, there have been forty-eight important international decisions, where but twenty-seven comparatively trifling issues were submitted to arbitration in the

seventy years preceding. The wildest enthusiast among the advocates of peace a century ago could scarce have hoped for more than this. Year after year, in the Congress of the United States, bills are presented in furtherance of the righteousness of mediation. Year after year, before the Parliament of Great Britain, the monster petition demanding legislation instead of war in the settlement of difficulties between nations, returns to clamor for attention from the law-givers, increased by tens of thousands of powerful names since its advent. And soon the law-givers can no longer dare to ignore it. It is quite safe to say that a hundred years ago even the conception of such advance was impossible. And better than all is the spirit in which these decisions of arbitration have been quickly and inexpensively settled, but settled for all time. No war has ever arisen over the decision of an arbitral court; in all but two or three instances the decision has been cheerfully accepted by the unsuccessful nation; and instead of deeping animosities and jealousies as war does, these settlements have brought the countries into much more friendly relations."

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### Nations in Concert.

"It is quite evident that in attempting the overthrow of this mighty evil only concerted action can be of any avail. It is utterly impossible that one nation should begin to reduce its armaments while others preserve their standing armies and their belief in appeals to brute force and the lower passions in man. Surrounded by watchful eyes and grasping desires, each country must supply itself with the means of preserving its integrity of action and hold itself ready to repel either coercion or invasion. But concerted action can

only be the result of individual thought and judgment. Each person must reach for himself the ultimate and abstract merit of arbitration as opposed to force in the settlement of national difficulties before he can become a strength to the cause he desires to champion, and an apostle for the spreading of such doctrines among his fellows; just as in battling with the evil of intemperance, it is to the dawning intelligence of the child, disciplined into strong conviction of the man, that we must address ourselves, rather than to any coercive force of prohibitory law. It is in this way that every poor and weak word, spoken in honesty of conviction, from one heart to another, carries some weight with it; and that the discussion of such a tremendous question becomes allowable to us all."

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### "The Duty of Congress."

"If the august senators and representatives upon whose shoulders rest the weight of state affairs only support it. To this end we call upon all schools, from knew it, there would be more honor, more usefulness and more claim upon the gratitude and homage of posterity in the pushing forward of this great scheme of civilization than in all the petty details that concern distribution of patronage or abuses of local government. For here is a question which concerns all nations and all people. Here is a study which has to do with untold wealth, with gigantic interests, with the demands of enlightenment and progress, and with the common heart of humanity. Other considerations may be of topical importance. The care of manufacturers in the East and productions in the West; a fishery question at the North, and an educational bill at the South—even the difference in policy between



constitutional conservatism and ambitious expansion—may each have important claims upon time and attention; but a measure which has to deal with the life or death of millions of men, with the diversions into channels of prosperity and improvement of billions of money now wasted in accomplishing ruin and devastation, is of more consequence than all the others put together.”

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### The Verdict of History.

“I sometimes wonder if, when we in turn have become a thing of the past, and take our place under the investigating lens of the future antiquary, this impenetrable blindness of ours in regard to the wickedness of war, and the utter absurdity of applying to it the principles of justice, will not be the greatest stumbling block in forming a critical analysis of our character. Many precious impulses toward right, many heroic efforts in the way of helpfulness and uplifting of our race, much deep and earnest thought upon every matter appertaining to purer and higher life—mentally, at least, if not morally—he must certainly admit for us who would fairly judge our progress and civilization. He would no doubt praise the efforts we are making to raise the standard of intelligence among the common people, and the discrimination which is leading us to combat such vices and intemperance by training the youthful mind into healthful understanding of its inherent wrongfulness. He would admire our widespread schemes of benevolence and philanthropy, and place it to our credit that in this latter half of the nineteenth century we had begun to notice the claims of the heathen and the savage at our gates, as well as of those further away.

“He will look with delight upon the strides we have

made in reducing the strain of physical labor for the workingman, and upon the series of brilliant experiments which have brought electricity and a score of other hitherto unknown forces into the realm of man's control. But he would stand dismayed before the idiocyncrasy which could permit an intelligence so widespread and benign to tolerate the same barbarism of warfare which disfigured the first century and the tenth and the sombre days of the middle ages. He would pause in the sure verdict of high enlightenment and noble achievement which otherwise would stand as the exponent of our age, and strive to find theories and possibilities which should account for this conflict between absurdity and common sense. 'So full of sense,' he would groan, 'and so amenable to law and order in their private relations; so exact in the attempt to render justice in case of petty disputes and trifling quarrels; so anxious to imbue the minds of their children with clear ideas of right and wrong and with the necessity of combating evil by principle instead of force! And yet flying to Krupp cannon and rifled guns in cases of national dispute; bankrupting their treasuries and taxing their inhabitants for the means of wholesale slaughter among those very masses; offering inducements to superior talent to buoy itself upon the discovery of more terrible explosives and more deadly engines for destroying life—and doing all this in the name of order and humanity. What a people!'

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**Extract From Address of Hon. Charles R. Skinner,  
Before the Lake Mohonk Conference on Inter-  
national Arbitration, May 28, 1902.**

"The forces making for international arbitration are the same forces which make for civilization, for good government, for enlightened citizenship and for prosperity.

"The mighty force lying behind this movement, it seems to me, is education. Public education is doing its great work in the enlightenment of the world upon this subject. It is giving a deeper comprehension of what fellowship means. The importance of teaching in our schools and in our homes the mighty force of unselfishness is not yet, however, realized as it ought to be. Generations ago the church and the school taught against selfishness. It seems to me that that instruction could still be continued with profit, because selfishness in person or in state is a great cause of conflict.

"Obedience to law, whether in the home, in the school or in the state, should receive the closest attention of every man and woman engaged in the educational work of the world. Obedience is the true foundation of government, whether local or state, whether home or school. Our children should be taught that the will of the parent is their law, to be implicitly obeyed. And when the children are sent to the schools they should be taught that the will of the teacher is then to be their law. If in the home and in the school this education is rightly given, then when these children go out into the state, they will know what it is to be good law-abiding citizens.

"Underlying the struggles and conflicts of the world's activities there is the sentiment constantly going out of love for our fellow men. We can not deny that underneath all these activities there is a feeling of sympathy, of tolerance, of charity; and upon these foundations good government is built. Especially is this true of the English speaking people. We are astonished at the progress of international arbitration during the past few years; but this has been the certain result of the education of public opinion. Education gives a broader comprehension of civic duty and public responsibility.

"We cannot, therefore, help being optimists. But

public education must further enlarge and develop this spirit of friendship. The public schools must do their part in giving strength to those ideas and sentiments which work out the conditions of peace. The thought must not be allowed that our public schools are to make soldiers. Our public schools must make citizens. I take no part in the movement which would place military instruction in the public schools. I never could see how good could result from giving our children tin soldiers as play things.

"Our women must in large part do this educating. The women are in force in the public schools. Five-sixth of all our teachers are women. We must expect them to make our citizens. They teach our history; and as for me, I would prefer that they should tell what has been accomplished through arbitration to secure the peace of the world than how many soldiers marched up and down with Caesar. I believe in teaching those things which go to make our government of today—why it was organized and how it is managed—rather than going back two thousand years to a country that is dead and gone.

"All our hopes, however, will prove illusory unless systematic, comprehensive and earnest work is done in educating and developing an enlightened public sentiment and opinion, which shall both demand and the primary to the university, upon the press, the pulpit, boards of trade and commerce, merchants, associations, trade leagues and all other organizations, upon all employers and employed, upon all men everywhere, to co-operate in creating a universal sentiment in favor of the judicial settlement of controversies."

## CHAPTER XIII.

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### INTERNATIONAL COMITY.

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**Abstract of Address before the Mohonk Conference, in June, 1900, by Frederick W. Holls, D. C. L., who was a member of the Peace Conference at The Hague from the United States.**

“Mr. President, Ladies and Gentlemen: I wish to thank the conference and its gracious host, and you, Mr. President, most sincerely for the privilege of appearing before you here today. I count the privilege of attending The Hague Peace Conference on behalf of the United States as one which can not be surpassed in an ordinary human life. One of the incidental advantages was the privilege of meeting the earnest men and women engaged in work of the highest possible importance to humanity. It is a great joy to be able to report that the work for which they have done so much is prospering, and that especially during last year, as I firmly believe, it has been placed in a position which two years ago the most enthusiastic dreamer in the world would not have dared to hope for.

“The conference brought together representatives from twenty-six nations. By a happy inspiration Holland—distinguished alike by its struggles for freedom and as being the home of the science of international law—was selected as the country where this historic meeting should take place. It was opened on the 18th

day of May under ideal auspices and beneath the scepter of a beautiful maiden queen, in a meeting room which for beauty and appropriateness has no parallel, the 'House in the Wood,' at The Hague.

"All the proceedings were carried on in the French language, though the use of both English and German was permitted when necessary. It was, however, shown that the position of French as the diplomatic language of the world is not likely to be disturbed for the present. Among the reasons for this belief none is more striking than that the literature of international law and diplomacy is almost entirely French. Many of the most important treaties and treatises have never been translated into any other language.

"Innumerable obstacles in the way of understandings, misconceptions of terms, local and contemporary prejudices, and occasionally the results of personal feelings, had to be met, soothed, combated and got out of the way. A simple word or a foolish gesture more than once aroused difficulties which could only be removed by great patience and tact.

"The true significance of the Peace Conference is to be found in the convention for the peaceable settlement of international difficulties. This is embodied in a treaty of sixty-one articles, divided into four titles: first, as to the maintenance of general peace, consisting of one declaratory article; second, on good offices and mediation; third, on international commissions of inquiry; and fourth, on international arbitration.

"The establishment of the permanent court of arbitration is without doubt the principal achievement of the conference. According to the treaty, this court is to consist of not more than four judges from each signatory country, to be appointed for a term of six years each, with the possibility of reappointment. A permanent bureau, at the head of which a general clerk of the court is placed, is to be established at The

Hague under the supervision of a directory board consisting of the diplomatic representatives accredited to the Netherlands, under the presidency of the Dutch Minister of Foreign Affairs. Whenever a dispute is to be referred to the court, the litigating nations are each to select from the list of members of the court two members of the bench which is to decide the particular dispute. The four thus selected elect an umpire, also from the general list, and when the entire court is satisfactory to both litigants they file a so-called compromise, defining precisely the question or questions to be decided with the clerk of the court at The Hague, and thereupon the machinery is set in motion, the judges are summoned to The Hague, if no other place of meeting has been agreed upon by the litigating nations, and the case proceeds according to the procedure laid down in the treaty.

"Each country is to pay the judges appointed by it. It is a court organized very much like the Supreme Court of the State of New York, except that the assignment of judges to work is made by agreement between the litigants instead of by an outside authority. The recourse to arbitration is purely voluntary. In time it will be looked upon by the peoples of the earth as one of the obvious facts of international life and as an institution of as great and practical value as the international postal union, only with an infinitely more sublime scope. Under the treaty as it stands, ministers will now have to explain why they do not arbitrate, and that in itself is a great gain for the cause of peace and civilization.

"The agreement itself on the part of the various powers to consider it a duty to use their influence in behalf of peace is a great step in advance and may rightly be called the crown of the whole edifice. With it and with the other provisions of the treaty we have, as President Low has said, provided a motor, the force

of which is public opinion, and this force may safely be trusted both to start and keep in motion the machinery, not perhaps without an occasional hitch or break-down, but smoothly and effectively in the end."

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### Address of Wm. I. Buchanan.

The following is from an address of the Hon. William I. Buchanan before the American Peace Society of Boston, in 1902. Its author is a man of affairs in the United States, who was Minister of the United States to the Argentine Republic for many years, and was Director-General of the Pan-American Exposition at Buffalo in 1901:

"During the past few years our relations with the eighteen Republics south of us have become questions of interest and importance. This has been especially true since the Spanish-American war, growing out of which we have become through new responsibilities identified to a greater degree than before with Spanish-American language and thought. We have certainly been remiss in not having taken up years ago, as we are now doing, the endeavor to know the people and possibilities of these republics better, and to have ourselves better known by them. We have certainly lost much by our negligence, both in commerce and in prestige among them. We begin to realize how far removed they are from us when we think that forty-five millions of their people speak the Spanish language, ten millions Portuguese, and two millions more French; and that in all the Republics of which I speak we have less than thirty-five thousand Americans; that we have no ships or banks there; and that in our own country not one person out of every three thousand can intelligently speak either of the two first languages I have named, while the number among us conversant



with Spanish-American laws and judicial procedure can be counted probably within one hundred.

"All this has made the two Pan-American Conferences that have been held national landmarks that will remain as points of beginning in the story of that better understanding between our people and those of our sister American Republics, that can only be woven in friendship, good will and confidence between each and all.

"The greatest good resulting from international conferences is that of acquaintance; a knowledge on the part of each delegation of the difficulties surrounding other delegations; the opportunity to measure and estimate men and to weigh the forces and resources behind them, and to gauge one's self and country. Undoubted good comes from such contact even though it be neither tangible nor apparent at once, since each step, however insignificant it may be, taken by a people in the direction of their uplifting and betterment, is a victory that can never be lost, a mark fixed on the road towards their national advancement. The first and second Pan-American Conferences were convened in this spirit and with these aims.

"I can do no better, in closing, than to read you the protocol of adherence to The Hague Conventions thus unanimously adopted by the Conference. Possibly none of you have seen it intact, with the preamble and the entire number of clauses which it contained. It is as follows:

"Whereas, The delegates to the International Conference of the American States, believing that public sentiment in the Republics represented by them is constantly growing in the direction of heartily favoring the widest application of the principles of arbitration; that the American Republics, controlled alike by the principles and responsibilities of popular government and bound together by increasing mutual interests,

can, by their own actions, maintain peace on the continent, and that permanent peace between them will be the forerunner and harbinger of their natural development and of the happiness and commercial greatness of their peoples.

“They have therefore agreed upon the following:

“‘Project.

“‘Article I. The American Republics represented at the International Conference of American States in Mexico, which have not subscribed to the three Conventions signed at The Hague on the 29th of July, 1899, hereby recognize as a part of public international American law the principles set forth herein.

“‘Art. II. With respect to the Conventions which are of an open character, the adherence thereto will be communicated to the government of Holland, through diplomatic channels, by the respective governments, upon the ratification thereof.

“‘Art. III. The wide general convenience being so clearly apparent that would be secured by confiding the solution of the differences to be submitted to arbitration to the jurisdiction of a tribunal of so high a character as that of the Arbitration Court at The Hague, and also that the American nations not now signatory to the Convention creating that beneficent institution can become adherents thereto by virtue of an accepted and recognized right; and further, taking into consideration the offer of the governments of the United States of America and the United States of Mexico, the Conference hereby confers upon said governments the authority to negotiate with the other powers signatory to the Convention for the peaceful adjustment of international differences; for the adherence thereto of the American nations so requesting and not now signatory to the said Convention.

“‘Art. IV. In order that the widest and most unrestricted application of the principle of just arbitration may be satisfactorily and definitely brought about at the earliest possible day, and to the end that the most advanced and mutually advantageous form in which the said principle can be expressed in a convention to be signed between the American Republics can be fully ascertained, the President of Mexico is hereby most respectfully requested to ascertain by careful investigation the views of the different governments represented in the Conference regarding the most advanced form in which a general arbitration convention could be drawn that would meet with the approval and secure the final ratification of all of the countries in the Conference, and, after the conclusion of his inquiry, to prepare a plan for such a general convention as would apparently meet the wishes of all the Republics, and, if possible, arrange for a series of protocols to carry the plan into execution; or, if this should be found to be impracticable, then to present the correspondence with a report to the next Conference.’

“That, ladies and gentlemen, is the arbitration work of the Conference at Mexico; a protocol of adherence to The Hague Conventions and their acceptance as principles of American international law; a request to the President of the Republic of Mexico to see if there was any step beyond that to which the American Republics would go; and, in addition to that protocol, the signing of an agreement on the part of ten nations obligating themselves to go to that tribunal and settle their differences; and also an agreement in which nineteen nations joined to go to the same tribunal and adjust pecuniary claims—those miserable things which do so much at times to stir up ill-feeling between nations and which are the cause sometimes of open rupture.

"These three things, in my judgment, should rank, and will rank, the Mexican Conference as the most remarkable conference held. For the first time—and I believe it is an omen of good fortune—for the first time the nineteen Republics of this hemisphere stood united, as you have seen, not only upon these principles, but upon questions of quarantine and sanitation and on other questions of national importance to every one of us."

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**Address of J. G. Blaine, Secretary of State.**

On October 2, 1889, at the City of Washington, D. C., there was a conference of the nations of North and South America, to which the delegates were welcomed by the Honorable James G. Blaine, who was then Secretary of State of the United States of America, and afterwards Honorary President of the conference. Mr. Blaine was a great advocate of peace and reciprocity. He spoke in part as follows:

"Gentlemen of the International American Conference: Speaking for the government of the United States, I bid you welcome to this capital. Speaking for the people of the United States, I bid you welcome to every section and to every state of the Union. You come in response to an invitation extended by the President on the special authorization of Congress. Your presence here is no ordinary event. It signifies much to the people of all America, today. It may signify far more in the days to come. No conference of nations has ever assembled to consider the welfare of territorial possessions so vast and to contemplate the possibilities of a future so great and so inspiring.

"The delegates whom I am now addressing can do much to establish permanent relations of confidence, respect and friendship between the nations which they

represent. They can show to the world an honorable, peaceful conference of seventeen independent American powers, in which all shall meet together on terms of absolute equality; a conference in which there can be no attempt to coerce a single delegate against his own conception of the interests of his nation; a conference which will permit no secret understanding on any subject; but will aim to cultivate an American sympathy as broad as both continents; a conference which will form no selfish alliance against the older nations from which we are proud to claim inheritance—a conference, in fine, which will seek nothing, propose nothing, endure nothing, that is not, in the general sense of all the delegates, timely and wise and peaceful.”

Again, Mr. Blaine, in his farewell address to the International American Conference, on April 19, 1890, said:

“If, in this closing hour, the conference had but one deed to celebrate, we should dare call the world’s attention to the deliberate, confident, solemn dedication of two great continents to peace, and to the prosperity which has peace for its foundation. We hold up this new Magna Charta, which abolishes war and substitutes arbitration between the American Republics, as the first and great fruit of the International American Conference. That noblest of Americans, the aged poet and philanthropist, Whittier, is the first to send his salutation and his benediction, declaring:

“‘If in the spirit of peace the American Conference agrees upon a rule of arbitration which shall make war in this hemisphere well nigh impossible, its sessions will prove one of the most important events in the history of the world!’”

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#### Ex-President Harrison.

In his closing argument before the Arbitration

Tribunal upon the Venezuelan boundary question, Benjamin Harrison, then ex-President of the United States, alluded to the importance and results of The Hague Conference in the following significant language:

"Mr. President: It has been to me a matter of special interest that the President of this tribunal, after his designation by these two contending nations for that high place which assigned to him the duty of participating in practical arbitration between nations, was called by his great Sovereign to take part in a Convention which I believe will be counted to be one of the greatest assemblies of the nations that the world has yet seen, not only in the personnel of those who are gathered together, but in the wide and widening effect which its resolutions are to have upon the intercourse between nations in the centuries to come. There was nothing, Mr. President, in your proceedings at The Hague that so much attracted my approbation and interest, as the proposition to constitute a permanent court of arbitration. It seems to me that if this process of settling international differences is to commend itself to the nations, it can only hope to set up for the trial of such questions an absolutely impartial judicial tribunal. If conventions, if accommodation, and if the rule to 'give and take' are to be used, then let the diplomatists settle the question; but when these have failed in their work, and the question between two great nations is submitted for judgment, it seems to me necessarily to imply the introduction of a judicial element into the controversy."

**Speech of John Hay at Boston on October 3, 1904,  
before the Peace Congress.**

"I esteem it a great honor and privilege to be allowed to extend to you the welcome of the government and the people of the United States of America on this memorable and auspicious occasion. No time could be more fitting for this gathering of a parliament of peace than today, when at the other end of the world the thunder of a destructive and sanguinary war is deafening the nations, while here we are preparing to settle the question of a vast transfer of power by an appeal to reason and orderly procedure, under the sanction of a law implicitly accepted by eighty millions of people.

"And as if heaven had decided to give a sign of deepest significance to the hour of your meeting, it coincides with the commitment to eternal peace of all that was mortal of our dear and honored co-laborer in this sacred cause. George Frisbie Hoar had many titles to glory and honor. Not the least of them was the firm and constant courage with which, through all his illustrious life, he pleaded for humanity and universal good will.

"No place could be more suitable than this high-hearted city, which has been for nearly 300 years the birthplace and the home of every idea of progress and enlightenment which has germinated in the western world. To bid you welcome to the home of Vane, of Winthrop and of Adams, of Channing and Emerson, is to give you the freedom of no mean city, to make you partakers of a spiritual inheritance without which, with all our opulence, we should be poor indeed. It is true that this great commonwealth has sought, with the sword, peace under liberty. But the dominant note of its highest culture, its most persistent spirit, has been that righteousness which exalteth a

nation, that obedience to the inner light which leads along the paths of peace.

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### **Policy of Nation in Main Has Been a Policy of Peace.**

"And the policy of the nation at large, which owes so much of its civic spirit to the founders of New England, has been in the main a policy of peace. During the 130 years of our independent existence we have had but three wars with the outside world, though we have had a most grievous and dolorous struggle with our own people. We have had, I think, a greater relative immunity from war than any of our neighbors.

"All our greatest men have been earnest advocates of peace. The very men who founded our liberties with the mailed hand detested and abhorred war as the most futile and ferocious of human follies. Washington once said: 'My first wish is to see this plague to mankind banished from the earth,' and again he said: 'We have experience enough of its evils in this country to know that it should not be wantonly or unnecessarily entered upon.' There is no discordant note in the utterances of our eminent soldiers on this subject.

"The most famous utterance of General Grant—the one which will linger longest in the memories of men—was the prayer of his war-weary heart, 'Let us have peace.' Sherman reached the acme of his marvellous gift of epigram when he said, 'War is hell.' And Abraham Lincoln, after the four terrible years in which he had directed our vast armies and navies, uttered on the threshold of eternity the fervent and touching aspiration that 'the mighty scourge of war might speedily pass away.'



**McKinley and Roosevelt Untiringly Devoted to Peace.**

"McKinley deplored with every pulse of his honest and kindly heart the advent of the war which he had hoped might not come in his day, and gladly hailed the earliest moment for making peace; and President Roosevelt has the same tireless energy in the work of concord that he displayed when he sought peace and ensured it on the field of battle. No presidents in our history have been so faithful and so efficient as the last two in the cause of arbitration and of every peaceful settlement of differences. I mention them together because their work has been harmonious and consistent.

"We hailed with joy the generous initiative of the Russian Emperor, and sent to the conference at The Hague the best men we had in our civic and military life. When The Hague court lay apparently wrecked at the beginning of its voyage, threatened with death before it had fairly begun to live, it was the American government which gave it the breath of life by inviting the Republic of Mexico to share our appeal to its jurisdiction; and the second case brought before it was at the instance of Mr. Roosevelt, who declined in its favor the high honor of arbitrating an affair of world-wide importance.

"In the last seven years we have had one hundred days of war—but they put an end forever to bloodshed which had lasted a generation. We landed a few platoons of marines on the isthmus last year; but that act closed without a short a sanguinary succession of trivial wars. We marched a little army to Peking; but it was to save not only the beleaguered legations, but a great imperilled civilization. By mingled gentleness and energy, to which most of the world beyond our borders has done justice, we have given to the

Philippines, if not peace, at least a nearer approach to it than they have had within the memory of men.

"If our example is worth anything to the world, we have given it in the vital manner of disarmament. We have brought away from the far east fifty-five thousand soldiers whose work was done, and have sent them back to the fields of peaceful activity. We have reduced our army to the minimum of sixty thousand men; in fact, we may say we have no army, but in place of one a nucleus for drill and discipline. We have three-fourths of one soldier for every thousand of the population—a proportion which, if adopted by other powers, would at once eliminate wars and rumors of wars from the daily thoughts of the chanceries of the world.

"But fixed as our tradition is, clear as is our purpose in the direction of peace, no country is permanently immune to war so long as the desire and the practice of peace are not universal. If we cannot at once make peace and good will the universal rule and practice of nations, what can we do to approximate this condition? What measures can we now take which may lead us at least a little distance toward the wished-for goal?

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### **Cordial and Sympathetic Welcome of the Government.**

"I have not come to advise you; I have no such ambitious pretensions. I do not even aspire to take part in your deliberations. But I am authorized to assure you that the American government extends to you a cordial and sympathetic welcome, and shares to the utmost the spirit and purpose in which you have met.

"The President, so long as he remains in power, has no thought of departing from the traditions bequeathed us by the great soldiers and statesmen of

our early history, which have been strictly followed during the last seven years. We shall continue to advocate and to carry into effect, as far as practicable, the principle of the arbitration of such questions as may not be settled through diplomatic negotiations. We have already done much in this direction; we shall hope to do much more. The President is now considering the negotiation of treaties of arbitration with such of the European powers as desire them, and hopes to lay them before the Senate next winter, and finally, the President has, only a few days ago, promised in response to the request of the Interparliamentary Union to invite the nations to a second conference at The Hague to continue the beneficent work of the conference of 1899.

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**Platform of the Eleventh Mohonk Lake Conference  
on International Arbitration, 1905.**

The Eleventh Annual Meeting of the Mohonk Lake Conference on International Arbitration expresses its gratification over the advance made in the cause of the pacific settlement of disputes between nations during the past year. Numerous special treaties of arbitration have been concluded and are now in force; The Hague Convention commands increasing confidence among civilized peoples, its purposes and scope are better understood, its provisions have been resorted to with success in cases of great difficulty, as in the settlement of the North Sea incident, and we now have a confident assurance that the tribunal which it has established will become of increasing importance in maintaining the peace of the world.

The interests that contribute to the promotion of the cause are ever broadening. Those of the wage-earners are finding emphatic expression; commerce is

keenly sensitive to disastrous interruptions by war, whether near or remote; the promoters of religion and philanthropy are alarmed at the hindrance of their work by every disturbance of international peace, and the sense of human brotherhood is increasingly felt and appreciated throughout the world. These signs of promise show that the long darkness of barbarism is passing away, and that the bright day of universal peace is dawning indeed.

We are highly gratified with the efforts of President Roosevelt in promoting the causes of international peace and justice, and we rejoice in his call for a second conference at The Hague. We confidently expect that many questions of international law that are now vague or undetermined will there find wise solution. We also hope that the conference will frame a general treaty of arbitration that may more effectively meet the requirements of the situation than any special treaties yet proposed have done; and we shall be gratified if the indefinite and elastic exceptions of matters of "national honor" and of "vital interests" shall be substantially modified. We earnestly hope that if such a treaty is proposed, the treaty-making authorities of our government will speedily effect its enactment for this country. We view the treaty now in force between the Kingdoms of Denmark and The Netherlands as presenting the ideal toward which we are moving.

The evolution of the movement for universal peace clearly points to the early establishment of an International Parliament, with at least advisory powers, as a necessary agency in its fulfillment, and we renew our deliberations of last year in reference to this. We feel that it is not now expedient for this conference to pass any judgment upon the plans for the organization of such a parliament beyond the necessity for the representation of all civilized nations therein.

We heartily commend the work of the Interparliamentary Union and rejoice in the zeal and efficiency of the American Group of its membership. We rejoice that so much strength has been given to the cause of international arbitration by the fact that no country has ever yet repudiated an arbitral award. We believe that the decrees of the international court will be best enforced by the power of public sentiment and by the fear of the loss of world respect on the part of any nation that refuses full compliance with any award that may be made.

The formation of public opinion is an important means for the promotion of every good cause, and we desire to encourage all agencies that will further the interests of international arbitration. Especially do we commend the awakening of the students of our universities and colleges in this important matter, as well as the instruction of all the children in our schools.

## CHAPTER XIV.

### LATER DEVELOPMENTS.

Dr. Benjamin F. Trueblood, of Boston, Mass, General Secretary of the American Peace Society, made the following address at the Mohonk Lake Conference on Arbitration, May 31st, 1905:

"In order to appreciate fully what has been accomplished the past year in the advancement of international arbitration, one must remember the century of work and attainment preceding, the labors of the peace organizations from 1815 on, the more than two hundred cases of dispute settled by temporary arbitration tribunals and the three hundred adjusted by mixed commissions, the formation and important labors for thirty years of the International Law Association, and later of the active and powerful Interparliamentary Union organized in 1889, the work of conferences like this, the issuance of the Czar's Rescript in 1898, and the peace crusade which followed, The Hague Conference and the setting up and successful inauguration of the Permanent International Court of Arbitration, the action of national legislators and government leaders in coming vigorously to the support of the movement, etc., etc. What has taken place the past year has been only the addition of another ring to the great tree which has been growing for a hundred years and longer, and spreading its healing branches little by little over the nations of the world.

"Arbitration, like all other principles of progress, has its ups and its downs. It has apparently had both

these the past year. On Friday morning of our last year's conference here Mr. Smiley announced from this table that an arbitration treaty had just been signed between Spain and Portugal, and this was declared to be the eighth of the treaties of obligatory arbitration signed within the preceding eight months.

"Since that time twenty-two other treaties have been signed, bringing the whole number up to thirty. This epidemic of arbitration treaties, as an eminent German peace worker has called it, seems at last to have spent itself, or nearly so. About half of these treaties have already been ratified and are now in force. All of the nations of Western Europe are signatories of some of them, and they are thus practically bound together in the bonds of peace for a period of five years.

"It is worthy of note that not a single arbitration has as yet occurred under the provisions of any of these treaties, and the probabilities are that the five years will pass without any practical application of them. The spirit which has brought them into existence will probably prevent any serious disputes from arising, or, if not, will secure their adjustment by direct diplomatic methods. It seems probable that we are on the verge of an era when international disputes in the old sense of the term are almost entirely to cease, and the problems raised by the growing intercourse of the nations are to be solved by the processes of rational discussion and adjustment such as now so largely prevail among men in the common relations of life. No grander outcome than this of the pacific arbitration movement is possible.

"It has been objected by some, even by eminent statesmen, that these treaties are practically valueless because of their limited scope and the reserves made in them. But the fact seems to be that they have advanced the whole cause of arbitration very greatly

by their mere signature, and that they have prepared the way, as could not otherwise have been done, for another and probably the final great step in the arbitration movement.

"The failure of the eight treaties signed by Secretary of State Hay to go into effect, because of the disagreement between the Senate and the President as to their powers and prerogatives under the Constitution, has been a great disappointment to most of the friends of arbitration in this country. As this is to form a special topic at a later session of the Conference, I shall not venture to express any opinion at this time on the responsibility for their failure, but limit myself to saying that the United States, which has through the past century been the leader of the movement, has for the moment fallen behind in the march. Western Europe for the time being has gone to the front in a way that we have little expected. It is possible, however, that in the long run the failure of these treaties may be a great strengthening of the cause. The disagreement of the President and the Senate has deeply stirred the nation and caused such a thorough study of the subject as has never before been made by the American people.

"Furthermore, also, the Arbitration Group in Congress, which now numbers about two hundred, has been aroused to such zealous support of the cause as might not otherwise have occurred. They have decided to recommend to the Conference of the Interparliamentary Union at Brussels, the last of August, the adoption of a resolution urging that the order of the day of the new International Conference at The Hague, the first step for the holding of which has already been taken by the President, shall include the matter of the conclusion of a general treaty of obligatory arbitration, which shall specify the classes of cases to be referred to The Hague Court. It is pos-



sible, therefore, that in this way the United States may lead the way in securing a treaty among all the powers which shall be represented in the new conference that will be much superior to any of the treaties already signed, excepting always that between Denmark and The Netherlands.

"Whether this happen or not, it is at any rate true that arbitration has never before been so widely and strongly approved by the masses of the American people as it is today. The treaties signed by Mr. Hay had the cordial support of nearly all the great business bodies of our cities, of the religious organizations, and of the intelligent citizenship of the nation in general. No public measure before the country in recent years has called out more sympathy and approval than these treaties, and the impatience of the people with the authorities at Washington responsible for their failure has found difficulty in restraining itself.

"The Hague Court has settled one dispute during the year. The tribunal chosen from the Court to adjudicate the Japanese House Tax case, the reference of which was announced here last year, has completed its work, and the award was made on the 22nd of this month. The contention of Japan that she had a right, under her treaties of commerce with the Western powers, to tax improvements on land held by foreigners under perpetual lease, was rejected by the Court. Within the year, also, Great Britain and France, under the terms of the general agreement between them for the disposal of all their outstanding differences, have decided to refer to the Court the disputed question of the French Protectorate over the Sultan of Muscat.

"The arbitration of disputes outside of The Hague Court has still gone on during the year, though no important cases have been handled in this way. The principal ones either settled or in process of adjustment are as follows:

"The French-Venezuelan claims case.

"The boundary question between Costa Rica and the new republic of Panama.

"The question of the indemnity claims of the Newfoundland French fishermen.

"The Reid-Newfoundland Company claims case.

"A question of the boundary between Ecuador and Peru.

"The Barotseland boundary controversy between Great Britain and Portugal.

"The British-Brazilian Guiana boundary dispute.

"The Swedish-Norwegian sea-frontier question.

"The British-Russian seal fisheries dispute, originally submitted to arbitration, but finally settled by compromise.

"The Kantao Island case between China and Korea.

"The Venezuela-Italian claims case.

"The question of disputed boundaries between Brazil and Peru.

"The San Domingo Improvement Company case.

"The Ecuador-Colombian boundary dispute.

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### England and Russia.

"The most noteworthy international pacific settlement of the year has been that of the North Sea incident between Great Britain and Russia. Though not technically an arbitration, the adjustment of this case was made under the terms of The Hague Convention, which provided for the establishment of the permanent court of arbitration, and is therefore rightly to be considered in connection with arbitration proper. It called into operation the provisions of that convention for the creation of international commissions of inquiry in differences where the dispute was as to matters of fact,

and has demonstrated anew the extraordinary wisdom and foresight which characterized the eminent men who sat in The Hague Conference: But for the existence of The Hague Convention and the tribunal which it created, it is difficult to see how the extraordinary crisis caused by the firing of the Russian fleet upon the British fishing vessels could have been passed without a bitter and disastrous war. In spite of the excitement and indignation of the moment the governments of the two nations were under and felt the power of the obligations which they had taken upon themselves in the conference called by the Czar, and when their attention was directed to the matter by the distinguished French Foreign Minister, Mr. Delcasse, they at once recognized their imperative duty to find a way out of the difficulty by the use of the means which they themselves had been among the foremost in establishing. The pacific settlement of this ugly affair has manifested in a peculiar way the great strength which the international peace movement has acquired, and the immense value of systematic, concerted action among the nations for the regulation of their intercourse by the same principles of law and order which prevail within the separate nations. The friends of arbitration and peace can hereafter say with greater force than ever that no excuse for war any longer remains among the civilized nations who are parties to the Convention of July 29, 1899.

"On the whole, the year has been one of gratifying progress for the cause in whose interests we gather here. The friends of arbitration, not in this country only, but in all the countries of Western Europe, have largely increased in numbers and have carried on a vigorous and unremitting campaign. They have made repeated efforts to bring to an end the sanguinary conflict in the Far East through the employment of the means provided by The Hague Convention. They

have so far failed in their efforts, but they have never been so conscious of the rightness and the strength of their cause.

"But notwithstanding all the progress of the year, there are still serious objects to be overcome. The chief of these are the inertia of public opinion, the stubbornness of old prejudices between the nations, racial animosities, false conceptions of commercial interests and of national honor and greatness, and a certain fondness still lingering in the minds and hearts of the peoples and governments for the machinery of war and the supposedly speedier method offered by war for the securing and maintenance of international justice.

"In our constructive work for the complete and permanent establishment and universal use of the principle of arbitration through the Permanent Court in the adjusting of international differences, five things must be definitely aimed at:

"1. The bringing of all the Central and South American states into The Hague Court, that it may be in reality a world tribunal. None of them are yet parties to it, though the treaty among them signed at Mexico City for the submission of all questions of claims to the Court has been ratified by most of them.

"2. The conclusion of a general treaty of obligatory arbitration among all the independent nations of the world.

"3. The extension of the jurisdiction of The Hague Court to as many classes of cases as possible, with the view of ultimately leaving no sorts of controversies outside of its jurisdiction.

"4. The creation of a Congress of Nations to meet at stated periods for the regular discussion of all important international questions, that The Hague Court may be fortified and guided by a completer and better system of international law that now prevails.

"5. And lastly, the instruction of the public mind to the settled belief that in our day there are no differences which may arise between nations which cannot be honorably and satisfactorily adjusted by the judicial method.

"The greatest of these desiderata is clearly the early creation of a stated international congress. The nations have reached a point in the growth of their mutual intercourse and the interdependence of their interests when a properly constituted organ for the treatment of their common concerns is absolutely imperative. The Interparliamentary Union has by unanimous vote at its last conference put this subject upon its future program, and we of the Mohonk Conference, who also last year voted our unanimous sanction of the project, will greatly increase the power of our efforts for the completion of the international arbitration system if we give to the stated international congress proposal the full support of our sympathy and the full weight of our influence."

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#### **Work Among Undergraduates in the Universities and Colleges.**

Address of Dr. Daniel C. Gilman at the Mohonk Lake Conference, May 31st, 1905:

"Mr. Chairman and Gentlemen: I am called upon as the youngest member of the Conference (laughter)—youngest in attendance, I mean, as I have never had the honor of being at one of the international arbitration meetings before, and the youngest, perhaps, in enthusiasm for the great purposes of this Conference, and for the methods by which its members are trying to accomplish those purposes. I am one of the five-minute speakers, so I shall only refer to two thoughts

which have been suggested by the deliberations to which we have listened.

"The first is this: The importance of voluntary, unauthorized organizations for the promotion of public opinion. It is characteristic of the United States that its citizens, men and women, can come together without the call of any church or of any form of civil government, and discuss the fundamental principles which underlie the prosperity of the state.

"I look back and recall how much has been done in this country for the promotion of the welfare of the Indians, of organized charity, the improvement of prisons, civil service reform and international arbitration, chiefly by the voluntary associations and the conferences of enlightened and persistent men. I read the news of this present week from the City of Brotherly Love and rejoice with you in the triumph of good government, when a short time ago the outlook was so dark; and then I say that it is by the force of public opinion that reforms are accomplished. Months, years, decades roll on, and many are disheartened, but the faithful perseverance in reiterating right principles and in opposing bad measures and bad men accomplishes results. Finally the clouds are lifted, the shadows disappear, and the future is certain.

"Now what is the amount of all our talk? It is this: Every one of us should go home, whatever his station may be, determined to diffuse the ideas that have here been brought forward. We have been at the springs—Poland, Apollinaris, Saratoga, or whatever you please to call them—and we have been refreshed by these pure waters. Let us urge others to drink of these and other invigorating sources. We are guests in an establishment for the dissemination of germs. We are apt to think that the germs are all harmful. On the contrary, we could not live without germs, and it is the good germs we are going to distribute through

the country. Each one ought to go home and in the place where he has influence bring these seeds before the local conferences and other like assemblies, helping them to create that public opinion which, after all, rules our country.

"But I wish also, Mr. Chairman, to say a word to all the college presidents before me. The opinions brought out here today are those that ought to be carried by an organized effort into all the colleges and universities of the land. (Applause.) If you can get, say, one-tenth of the enthusiasm that the young men bestow upon the athletic field directed to the study of these great international questions, the great contests between nations and the proper mode of dealing with them, the victory is ours. It may be desirable for this Conference, before it breaks up, to initiate some measures by which in every college in the land—beginning with the older ones, Harvard and Yale, whose example is likely to be followed by the younger ones, until we reach California—international arbitration shall be studied. Let there be in every college and university an assembly of the students, and do not let the professors do all the talking; let some one from a distance come and tell the story and throw the discussion open to the young men; let them organize their own clubs, discuss their own questions, propose their own difficulties, and see what they can suggest toward their solution. I speak of the young men because they are strong, but I do not forget the young ladies. I would have the same movement go into the colleges for women, so that the educated young men and women of our country may grow up breathing the air of international arbitration as freely and as naturally as they do the air that supports their life." (Applause.)

### **The Wage-Earners' Interest in International Arbitration.**

Address of Hon. Carroll D. Wright before the Lake Mohonk Conference, May 31st, 1905:

"The wage-earners of our country have taken but little interest in international arbitration, yet their concern in the subject, as a means of establishing better relations among the different nations, is one of really vital importance, and could they and their fellows in all nations be aroused to its importance, the hopes of the friends of international peace would be stimulated in great measure.

"There are in the United States, in accordance with the best classification that can be made, over eighteen and a half million wage-earners, including men, women and children. This number of people constitutes a body as large as the whole population of Spain, with whom we went to war to settle a local problem. They are a body nearly three times as large as the population of Belgium or of Australia or of Canada. By themselves they would make a nation having almost half the population of France, and more than one-half that of Italy. This body is large enough to make a nation with whom any government would seek treaty relations, or against whom war would be declared under the ordinary methods. It is so large a body that it is vitally interested in the education of the public mind when rational attempts are made to avoid conflict, whether of arms or of economic forces, and must in time appreciate international arbitration as a great school for it to imitate. And yet I have found no allusion in any of the platforms or declarations of trade unions and labor organizations relative to this great subject.

"I do not believe they comprehend the moral element of arbitration, whether industrial or international,



and yet this moral element is in the air and it appeals to all sane men as strongly now as in the times of Isaiah, who, seven hundred and fifty years before Christ, becoming alarmed at what he thought an impending national calamity, called important citizens of Jerusalem to him, pointed out their particular sins of omission and commission, the wrongs that had been done, and prophesied the results of their actions, and when he had made a strong arraignment, he said: 'Come, now, and let us reason together.' The great prophet knew that by reasoning together people would come to see more clearly than by any other method the real dangers which confronted them.

"Here is the keynote of all arbitration of whatever character and whatever the problems that are sought to be solved by it.

"A careful study of industrial arbitration leads one to the conclusion that it is not the full solution of what we know as labor difficulties. The same careful consideration also induces one to believe that international arbitration will not solve all international troubles, yet everywhere, whenever undertaken, whenever resorted to, it becomes the exponent of the great moral forces which make for the very best civilization.

"Before much headway can be made, either in industrial or international arbitration, sociological differences must be more thoroughly equalized. The doctrines of protection and free trade are sociological questions as much as economic. Wage-earners see this perhaps more clearly than politicians. They see that when conditions are equalized these great trade doctrines become more easily comprehended; but until such conditions are more thoroughly equalized it will be difficult to bring the world to the basis of the highest morality in its commercial relations.

"All differences excite passion of some kind. It is the same in the theological, in the educational and in

every other sphere of life. As young college men express it, there is a desire to lick somebody or get licked. If this desire becomes crystallized, then there is a declaration of war, and when war comes, whether it is industrial or political war, the moral instincts are dulled and the wage-earners are the chief sufferers.

"The doctrine of industrial arbitration makes it plain that economic wars, or wars of economic forces, are disastrous in the extreme. When passions are excited, when capital and labor are arrayed against each other, all means by which one of them can thwart the other are resorted to, and in the attempt to defend these means by calling the contests between employers and employees a war between capital and labor, the parties pursue the analogies of a real war to justify the illegality of the conduct on the part of those engaged; yet the analogy is not apt and the arguments founded upon it are fallacious.

"There is only one war-making power recognized in the nation, and that is the government itself. War between citizens subordinate to the government is not to be tolerated and cannot in any proper sense exist. If attempted, it is unlawful and is to be put down by the sovereign power of the state. Yet the state rarely undertakes this, recognizing, however, that the practices of the two parties are usually outside the pale of what is called civilized war, for in civilized warfare women and children and the defenseless are safe from attack, and a code of honor controls parties to such warfare; but this does not apply when the boycott and the strike and the black-list are employed.

"Arbitration seeks to avoid this state of affairs, not for the sake of industrial peace alone, but for the protection of parties against loss and against those economic disasters which are sure to be the result. International arbitration seeks to avoid precisely the same condition between nations, that the great parties to

the contest may go on their way in peace and the pursuit of prosperous economic production.

"Production is often stimulated temporarily by war—usually is, in fact—but it is a feverish condition, and the after effects are such as to bring about depression, general demoralization, loss of work and hence loss of wages. The wage-earner, therefore, is thoroughly interested in the progress of the idea of settling international disputes by arbitration. He is not particularly fond of industrial arbitration, especially when it is conducted under state auspices. He is a believer in voluntary arbitration conducted by boards consisting of members of his own ranks and those of employers. The history of such matters in England for the past thirty-five or forty years is rich with the results of such measures. Great trades, as they are called in the old country—industries, as we would call them here—have had nearly forty years' experience without strikes or lockouts or any difficulties worth mentioning. Great industries in this country can show a record of from twelve to fifteen years without any strikes or labor contests, the peaceful conditions being entirely the result of agreements or treaties between the great parties to production, under which agreements all matters of differences or grievances presented by either party are adjusted by the parties themselves in a quiet, peaceful and manly way. It is business, business of a high order, and men are more and more recognizing that such measures are far better than any form of warfare.

"What the wage-earner needs more than anything else is the fair prospect of steady employment at remunerative wages. Labor contests, wars, conflicts of any kind, disturb this prospect and make his labor intermittent. Better lower wages and constant employment than higher wages with periods of idleness. When wars occur the whole spirit of reform, of rea-

sonable adjustment, of manly conduct, is suspended, and though the feverish condition of markets may bring, as already intimated, temporary employment at high rates, there is sure to follow a period of depression and long convalescence necessary for retrieval.

"Arbitration partakes of the very highest element of religion, and assumes broader and grander lines than the mere adjustment of labor troubles as they occur between employer and employee. The growth of the religious spirit in the settlement and adjustment of international affairs is an evidence that the public conscience is receiving some stimulation from some source which leads it on to a reasonable consideration of questions involving international rights, duties and obligations. This is the religious spirit; it is the spirit which comes from very old teaching; it is the Pauline method of adjusting difficulties in the church, and it is now become the universal method of settling difficulties between employers and employees; and now the spirit is going up higher into the work of nations themselves. This means a new patriotism—that patriotism which is born of a pure religious spirit; it means devotion to a higher principle; it means the patriotism of personal sacrifice, and it is a higher type of patriotism than that exemplified on the battlefield.

"I wish the wage-earners as a whole might comprehend this new phase of the religious spirit, and, when they can see their economic interests in it, I believe they will understand and comprehend it.

"I said that, so far as I could find, there were no allusions or declarations relative to international arbitration to be found in the platforms of trade unions, but the American Federation of Labor has taken a stand which it is interesting to note. Mr. Samuel Gompers, the able president of that great body, which comprehends one-ninth of the wage-earners of the

whole country, recently has given utterances relative to international peace, and his words are worth quoting here. He said:

“True to the highest and best conceptions of human life, the trade union movement, from its first inception, has been opposed to war. It recognizes that though others may fall, the brunt of war is borne by the working people, not only upon the battlefield itself, but the burdens thereafter which war entails. We cannot be indifferent to, restrain our feelings of horror at, nor withhold our sympathies from, the slaughtered thousands of human beings even in the far East, regardless of the country toward which our predilections lie. \* \* \* We welcomed the establishment of the International Court of Arbitration at The Hague. We recognize that in the last analysis, and in order to prevent any reaction that may lead to greater and more repeated wars and bloodshed, the success for international peace by arbitration must come from higher intelligence and a better conception of the sacredness of human life. \* \* \* In the broad domain of human activity there is no force so potent and which will be so powerful to establish and maintain international peace and human brotherhood as the fraternization of the workers of the world in the international labor movement.’

“Mr. Gompers expresses himself so strongly in this matter that it may be considered as the utterance of the whole body of wage-workers in this country.

“It is very hopeful and very gratifying to know that the workingmen of Germany and France have taken a very strong stand in favor of international peace to be secured through the methods of arbitration, and even in this country at recent peace conferences our wage-receivers have taken prominent part and uttered no dissenting voice to the propositions so ably advocated by this Conference.

"When it is understood that many of our great labor organizations are international in their character, and that when there are congresses of labor, representatives from all parts of the world are brought together to consider the interests of the wage-worker in the broadest sense of fraternization, we must conclude that their influence finally in establishing international arbitration as a principle is of the greatest importance, not only to them as workers, but to the whole world at large."

## CHAPTER XV.

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### ROOSEVELT, THE PEACEMAKER.

Theodore Roosevelt, twenty-sixth President of the United States of America, took a prominent part in bringing about peace between Japan and Russia in 1905. He was a lieutenant colonel in a regiment that participated in the Spanish-American war in 1898. From a military standpoint he made a good record and became so popular that he was nominated and elected as Vice President with President William McKinley in 1900. At the death of McKinley Mr. Roosevelt succeeded to the presidency, and through the remaining three years of the term he continued to manifest interest in military affairs, urging the strengthening of the army and the building up of a great navy, on the theory that it was necessary to insure peace. Rightfully or wrongfully, his opponents, including some prominent men in his own party, used his alleged militarism as an argument against his election to succeed himself in 1904.

Mr. Roosevelt was successful at the polls, however, and soon after his inauguration he showed that he appreciated the horrors and wastefulness of war and the triumphs and advantages of peace. The great war between Japan and Russia was in progress, and President Roosevelt, a keen observer of current events, seems to have studied its effects, present and future, with profit to himself, to his country, and to the whole world.

In the summer of 1905 both Japan and Russia had well nigh exhausted their financial resources. Each country had increased its national debt enormously, and it was doubtful that either could borrow much more money. It was reported that one hundred and fifty thousand Russians and over one hundred and thirty thousand Japanese had been killed in battle, and as many or more had been crippled or disabled by wounds, and hundreds of thousands had died of diseases contracted in the armies. After the war the loss of life was found to have been exaggerated. The commerce and industry of both nations was at a standstill, and other nations had lost hundreds of millions through the interruption of trade by the war in the East.

All the nations wanted peace, but there seemed no way to stop the war except by the intervention of other nations, and as some of the powers were friendly to Japan, while others favored Russia, it was feared that interference by any nation would involve others and thus make the matter worse by spreading the war to other parts of the world. Japan and Russia really wanted to end the war, but they would not admit that fact. Russia, having lost prestige by defeat in every battle, on both land and sea, was naturally inclined to continue, with the hope of regaining her reputation and position as a great nation, while the people of Japan, proud of their victories, insisted that the fighting should go on until they could dictate terms of peace and make Russia pay a large part of the cost of the war.

Suggestions that a conference be held, with a view of considering terms of peace, were spurned by both nations, and no nation seemed inclined to insist that such action be taken. After considering the situation for months, President Roosevelt decided to take up the matter and act independently, without regard to



what other nations might do. He approached the Mikado of Japan and the Czar of Russia directly. He pointed out to them the desire of all nations for peace, the horrors and enormous losses of life and property resulting from the war, which were sure to grow worse as the struggle continued, and, to the surprise of all nations, many of whom had predicted the failure of his efforts, both Russia and Japan showed a disposition to consider his proposition, and finally agreed to send representatives to a conference with full authority to arrange terms for peace.

The conference was held in August, 1905, in the United States navy yard at Portsmouth, New Hampshire. It was successful. The war was ended and President Roosevelt received congratulations and praise from all the great nations of the earth for the part he had taken in bringing about the happy result. He was proclaimed throughout the world as the Great Peacemaker, and in fact attained more fame and glory than would have been accorded him had he led his country into war and conquered the most powerful nation on the earth.

The history of the ending of the great war between Russia and Japan shows that war is not necessary to enable men to win fame, glory, honor and the highest respect and esteem that can be bestowed by mankind. The man or men who prevent war are entitled to and should receive more credit and honor than has been bestowed upon the greatest generals in history.

"The victories, the honors, the fame and glory attained in peace, are more pleasing, more useful and more lasting than those earned in war. The man who gains fame, power and distinction by means of war makes enemies who despise him. President Roosevelt made no enemies when he stopped the war. On the contrary, he made friends of the people of all nations for himself and for his country.

—H. L. B.

**Peace on Earth.**

We have heard glad news from Portsmouth ;  
Let a waiting world rejoice.  
Peace has triumphed ! Hallelujah !  
Shout it with united voice.  
For all parties  
This is much the better choice.

We have watched those earnest envoys,  
Pictured in the daily mail,  
Hoping that their better judgment  
Surely would at last prevail.  
Now, with pleasure,  
This good news 'tis ours to hail.

Glad are we that our chief ruler  
Saw his opportunity,  
And, by counsel freely offered,  
Proved a timely help to be.  
O, how noble  
Thus to bless humanity !

Not alone Japan and Russia  
Were affected by this war ;  
Other nations felt the conflict,  
Felt it only to deplore.  
From such slaughter  
Heaven protect us evermore.

O, we trust the world is waking,  
Moving toward a higher plane,  
Weary of these wars degrading,  
Hoping world-wide peace to gain.  
May God grant it,  
Blessed peace that shall remain.

War is brutal, peace angelic ;  
This admits of no dispute.  
Better far to act the seraph  
Than to imitate the brute.  
Let war's cannons  
Be henceforth forever mute.

Arbitration ! Let us seek it,  
Talk it, boom it everywhere.  
Press and pulpit labor for it,  
Let not any one despair.  
Work with courage ;  
'Tis already in the air.

Let there be a grand convention  
Of the brotherhood of man ;  
Every nation represented,  
There for peace to work and plan.  
Who will call it ?  
Who step forth and lead the van ?

War has had its valiant heroes  
And we pay them honors due,  
O, may peace ne'er lack for leaders,  
Or for armies brave and true.  
Crowns await them ;  
Garlands of the brightest hue.

—Wm. H. Parmelee.

## CHAPTER XVI.

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### PARLIAMENT OF NATIONS.

Before sailing from New York to attend the meeting of the Executive Council of the Interparliamentary Union in May, 1905, Richard Bartholdt, member of Congress from Missouri and President of the Interparliamentary Union, wrote the following interesting article on the objects, aims and future work of the organization:

I am on my way to Brussels to attend a meeting of the Executive Council of the Interparliamentary Union. This Council is composed of two members from the Parliament of each nation having membership in the Union. All the European nations with the Parliamentary form of government have membership in this Union. But the United States is the only American nation represented in the Union, and yet every American nation has the partliamentary form of government.

The members of the Council will determine the subjects which will be discussed when the Union meets for its thirteenth annual session, which will be held at Brussels at a time to be fixed by the Council.

One of the points which I have been instructed by the Arbitration Group in Congress to propose for discussion at the next session of the Union is the admission of South American nations into the Interparliamentary Union. The Argentine Republic, commonly regarded as a small nation, has a territory as large as the United States east of the Mississippi. Brazil is as

large as the entire United States. Other South American nations, though little thought of by our people, are more important than some well-known European nations and have already attained a high degree of civilization. It is but just to say that in the movement for international arbitration South America has led the world, both in being first to conclude such treaties and in having concluded more perfect treaties than those that are now being negotiated in Europe. The population of the South American nations is considerably more than half that of the United States and Canada. Canada also should have representatives in the Interparliamentary Union and in the International Congress when it is organized; for Canada is a nation, with a national Parliament, and entitled to due representation in all International Unions.

Manifestly these nations have a place in the International Unions, and those Unions will be imperfect until all the South American nations are in their places. It is equally true that no South American nation need have any fear as to the future, provided it takes its place in these Unions, stands for the plans put forward by the Interparliamentary Union and succeeds in meeting out good government at home. It is an assured fact that these nations will come into these unions in time, but they are needed in them now, and the best sentiment of both Europe and America will not be satisfied until they are.

South American statesmen, by joining the Interparliamentary Union, could be of assistance in securing general assent to a form of arbitration treaty that is fit for a model because they have concluded treaties that are free from the defects which mar those now being negotiated in Europe. It was these defects, not opposition to arbitration on principle, which caused the defeat of the treaties laid before our Senate in 1905. They were all modeled on the Anglo-French agree-

ment, which seemed to our State Department to represent the general sense of Europe on the subject. Instead of clearly defining the subject included, they attempted to include all questions of a judicial order or involving the construction of treaties, and then to except such as involve the vital interest or honor of either of the contracting Powers or the interest of a third Power. This vague exception was equivalent to drawing a curtain over all questions, and leaving it for future decision whether any particular question was included in the treaty or in the reservation. Consequently it was necessary to provide that in every case, after the controversy had arisen, the Powers affected should enter into a special agreement submitting the same to arbitration. Manifestly real judgment of the question could be exercised only in the giving or withholding assent on these special agreements. That is one of the reasons why the Senate demanded that these special agreements be referred to it for ratification. In this way only could the Senate really pass judgment on what shall and what shall not be arbitrated under a general treaty like the Anglo-French Agreement. Consequently a treaty of arbitration which will satisfy the treaty making Power of the United States must be free from the defects which mar the Anglo-French Agreement. Dr. Tydeman, of Holland, and Mr. Ernest Beckman, of Sweden, pointed out these defects at the St. Louis session of the Interparliamentary Union. They had been pointed out earlier in the columns of *The Independent*, where it was also shown what points a good treaty must have. A few of these may be mentioned.

The subjects included should be clearly defined, so that no "after judgment" need be demanded by any one concerned.

The Hague Court should be given jurisdiction to try questions of the kind included, and either one of the

Powers interested should have authority to set in motion the trial of such questions without securing the special consent of the other. The execution of the general treaty of arbitration should be the only consent needed for questions included in it. Such a treaty would found The Hague Court on solid ground and make it an integral part of the world's judicial machinery. However narrow its jurisdiction, the fact that it had a clearly defined jurisdiction and power of acting in that jurisdiction, as other courts act in theirs, would be the first step in the direction of broadening its jurisdiction and enlarging its powers.

Nations that are very far forward in the arbitration movement and very friendly to each other would put many questions in the treaties between them, while nations that are more backward, or that still harbor bad feeling toward each other would reserve more questions for trial on the field of battle. As they rise in their attitude toward each other and as the Court shows itself worthy of trust, they would include more and more questions in the treaties subsequently negotiated. Limiting these treaties so that they expire at a stated time, unless renewed by mutual consent, removes all reasonable objection to concluding them in this form. It would, perhaps, be better to have them run until terminated by one of the contracting powers, on, say, six months' notice. This would put the inertia of legislative bodies on the side of arbitration. It might be well also to allow for an appeal to arms from a decision of the Court affecting the independence or autonomy of the nation. It might be well also to insert a provision by which other nations could become parties to the arrangement by mere adoption of the treaty without entering into negotiation with each Power so doing. Holland has tried this in her treaty with Denmark, but that treaty is open to the objection that it binds the contracting Powers to arbitrate all ques-

tions, reserving nothing for trial by war. The nations are not all ready to go so far. By providing that each nation may designate the questions it is willing to arbitrate, according to the terms of the treaty agreed upon and that upon this designation the treaty becomes operative for those questions between that nation and all others that have or may designate the same questions as arbitrable, you have a simple system, easily made more effectual by individual national action, and without any difficulty of administration.

The second question proposed by the American Arbitration Group is the formulation of a treaty of arbitration which is fit for a model because it gives The Hague Court jurisdiction over questions included in it. Much thought must be given to the subject, however, before the Union meets at Brussels. Hence I suggest these ideas in order that public opinion may crystallize on the subject and guide the law makers in their work.

The other question proposed by the American Group for discussion at the next session of the Union is, the basis for the International Congress. This question bears a direct relation to giving The Hague Court jurisdiction by treaties of arbitration. The right to try questions carries with it the necessity of having principles by which to try them. The establishment of an International Congress must, therefore, follow close upon the general adoption of a treaty of arbitration, such as I have described. The Court, the Congress and the treaties will make a system of International Arbitration which will become more perfect with time. The following is a basis on which an International Congress can be organized:

1. An International Congress of two Houses, a Senate and a House of Deputies.
2. Each nation to have two Representatives in the



Senate, and representation in the House of Deputies proportionate to its international commerce.

3. Each nation to choose and maintain its own Representatives in the International Congress, and to have power of recalling them at any time. The term of office to be eight years, unless otherwise fixed by each nation for its own Representatives.

4. Each member to have one vote.

5. Majority to rule in all matters, and concurrence of both Houses necessary.

6. Each nation to have the right to withdraw at any time from the Congress.

7. The territorial and political integrity of each nation represented in the Congress to be respected by all nations represented.

8. Deliberations of the Congress to be confined to matters which directly affect intercourse between nations, and its resolutions limited to the declaration of general rules or principles for the conduct of such intercourse, and these resolutions to be recognized as law by the nations, unless they are vetoed by an agreed number of national Parliaments.

9. Each nation to treat all other nations on equal terms in matters of commerce, whether they be or be not represented in the International Congress; except that any nation can raise a commercial barrier against any other nation equivalent to such other nation's tariff wall.

10. While remaining in the Congress, each nation to have the right to arm itself according to its own judgment.

11. War to remain a lawful mode of action in any dispute, except as the several nations agree to refer controversies to arbitration by special or general treaties of arbitration.

12. The armed forces of all the nations represented to be at the service of the Congress for enforce-

ment of any decree rendered by The Hague Court, according to treaties of arbitration.

The idea in allowing withdrawal is (1) that this would induce the nations to enter into such a Congress much sooner, (2) it would prevent the Congress from taking any steps not generally approved, thus tending to preserve the Union and to go forward only as fast as all the members are ready to move, and (3) it would prevent war over the desire to go out, if such a desire should be engendered by what was done by the International Court or Congress.

The idea in providing for the veto or nullification of acts of the International Congress by the law-making bodies of the constituent nations is that the Union is worth more than the adoption of any particular law at a given time. If strong opposition to any proposed law for the nations develops anywhere it will manifest itself in some national parliament. And if the opposition is not strong enough to dominate one or more nations the proposed idea deserves to become a law for the nations when adopted by Congress, in which all nations have representatives.

This provision is really a right application to international affairs of the modern doctrine of initiative and referendum. It will prevent the development of a desire to break up the Union.

The idea in providing for armament by each nation according to its own judgment is this: Nations would not yet know how far to trust each other's faithful observance of these compacts, even after they are made. No military or naval power being provided for the International Body, and each nation remaining free to arm as its fears may suggest, there is no reason for delaying the formation of this Union. Once formed on this basis it will immediately begin to demonstrate its trustworthiness and its necessity to our modern life. And as confidence increases armament will de-

crease, until in due time there will be no fear and no danger of the violation of national rights, and then the armaments will dwindle to a mere international police power.

The idea of providing for war between the members is this: Experience has taught the necessity of doing so. The British Parliament came into being in the thirteenth century. The right of an English citizen to try questions affecting his title to land, by personal encounter with the adverse claimant, remained until the 22d day of June, 1819. Then it was abolished. The International Congress must come into being and approve itself worthy of preserving the cherished rights of nations before they will consent to the abolition of the right to protect themselves by their own powers.

It took 600 years for the British Parliament to rise to the point of prohibiting violent trial of any question by the citizens. It may take 600 years or only 600 months for a similar development in international government. But it will certainly take some time. Therefore, provision must be made for this as a suitable safety valve.

This Congress being organized on the idea that every nation represented in it has the right to perpetual Home Rule or Local Self-Government, and to due representation in the larger political body of which it has become a member, these rights will be guaranteed to every nation by every nation represented in the Congress. If the guaranty is kept faithfully what more can any nation hope to justly obtain or maintain by its own armed forces? With freedom to go armed against possible treachery, why not accept the guaranty and make a trial of a system of International Arbitration? Every nation has to prepare to protect itself without any such guaranty as things now stand.

With an International Congress organized on this basis there would be a working political Union of

Nations, very feeble in power, but rightly organized and sure to grow in usefulness and in favor with the people of all nations. And in due time it would become perfect in form and accomplish for nations what a Federal Union like ours accomplished for the constituent States.

This would take a long time, but that is not a reason against making a proper beginning. It is a reason, on the contrary, for making the earliest possible beginning. For the sooner the work is begun the sooner it will be ended, and neither peace nor real prosperity can permanently come to any nation until this work is ended.

It required a century and a war for the United States Congress to find its proper place among the political institutions of the world. As the day came for its creation, so the time has now come for creating the International Congress. As the one grew, so will the other. The business of the men of today is to form the one while they are doing what they can to bring the other to perfection. Surrounded as we are by the conflicts which fill the world with terror and resolved to do all that is possible to change this chaos into law and order, we can get strength for work that lies immediately before us by looking up to the heights of these great things fully brought to pass. In this way we get light on the path immediately ahead. This reveals also the significance in the great plan of the action we are called upon to take now, whether it seems great or small. The supreme question becomes, Is it in the right direction? If so, be it a small or a great step, it must be taken. The step now to be taken is to stand for this as the final outcome and to stand steadfastly for it until it is accomplished.

## CHAPTER XVII.

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### PROSPECTS FOR A PERMANENT INTERNATIONAL CONGRESS.

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By COUNT ALBERT APPONYI,

Member of the Hungarian Parliament and of The  
Hague Court.

A few years ago the people of the United States lived in tranquil self-contentment, far away from the contests and complications of world politics. They had none the less a strong influence on the destiny of mankind by the moral force of their liberal and democratic institutions, which excited admiration and envy among less happily situated nations, notwithstanding the malignant watch which the spirit of reaction kept on every unpleasant feature in their practical working. This moral influence paved the way for a more direct participation of America in the common life of all civilized nations. When the moment for such participation arrived, when the powerful organ of the United States began to be heard in that discordant tumult of voices which is euphemistically called a "concert," it was hailed by all friends of liberty and of fraternity among nations with an unanimous outburst of confidence and of sympathy. We all felt assured that America, though keenly watching her own interests, would upon the

whole throw her weight into the scale of international justice and of peace. Nor were our hopes deceived. The representative man of that new evolution in American politics, the President who has been elected in the sign of this new departure, whose unparalleled victory may be called a plebiscite in its favor, has held such language, and, what is more, has lived up to it, as to give the lie to skeptics and high hopes to right believers. When President Roosevelt said, in the magnificent speech delivered after his election, that there is no Power so strong as to make America afraid of it, and no nation so weak as to have any reason to fear her, he laid down in a few words the program of a great nation which will neither suffer nor do injustice. And when he was the first one to bring an international contest before The Hague Court, when he took the initiative for a peace congress, when he keenly watched and resolutely grasped the first opportunity for a successful intervention on behalf of peace between Russia and Japan, he gave us to understand, through these facts, what humanity has to expect from a more frequent participation of America in her general affairs.

Democracy can have but one sort of foreign policy: Boldly to uphold the banner of international justice and fraternity. She may make ready for self defense; this is a tribute she must pay to an unsatisfactory state of things which cannot be put away with a wave even of her powerful hand; but the spirit of aggression is in contradiction with her very nature, while the love of peace and of justice are essential ingredients of her mental complexion. The Star-Spangled Banner then, in its present powerful display, symbolizes better days for mankind.

American activity, whether in private enterprise or in public business, is characterized by a bold energy, by a go-aheadness, which sometimes takes the breath away from us more easy-going and more circumspect

Europeans. It is a ferment of acceleration everywhere, and it is most beneficially felt as such in the case of the peace movement. Since America participates in that movement, we Europeans feel, as it were, emboldened to stride with larger steps toward our ultimate aim.

The meeting of the Interparliamentary Union for arbitration held in 1904 at St. Louis marks a date in the history of that institution. At this meeting our American friends moved a direct appeal to the first magistrate of their country on behalf of a new Peace Congress; and never shall I forget the impression which President Roosevelt's clear and straightforward answer to that appeal made on us European delegates when we heard it from his own lips in the White House. Accustomed as we are to the circuitous and oracular language which even the smallest agent of public power is wont to use in our countries lest he should commit himself to any decided course of action, taught to consider such affectation of cautiousness as an essential attribute of statesmanship, and to listen to such official stuff with a reverential awe, proportioned to its degree of unintelligibility, we felt something like a breeze of fresh air when the first magistrate of a powerful nation, on being asked by a society of idealists to take a delicate and bold initiative, answered, "Yes, I shall do it," in language of quite biblical simplicity. The sweet feelings of success, success clear and undeniable, not vaguely to be constructed by artifice of interpretation, which may prove misleading after all, but granted to us in plain, unmistakable words, filled our breasts with new hope and with a firmer belief in our cause. Those three weeks spent in the United States and that hour spent at the White House had a most invigorating effect on our souls. We had breathed American air, our lungs became dilated by it for the steep ascent still expanding before us.

But now our American friends are urging us on at a pace which it will be hard for some of us to keep. The American Group of the Interparliamentary Union proposes a motion for this year's meeting to be held at Brussels in August to the effect that all civilized nations should send delegates to a permanent International Congress—mind, a Congress—not a private meeting of men, holding a public position, indeed, but unprovided with an official mandate and wielding therefore no power but the moral force of their conviction and of their influence, but a body of official delegates, sent by the popular branch of their respective public Powers, invested with a mandate which gives legal force to their decisions.

The boldness, the magnificent radicalism, of that idea fills our souls with an admiration from which, alas! skepticism is not a bent; it wholly depends on the particulars of the scheme which of the two feelings shall ultimately prevail. I suppose that International Congress is meant to be a sort of legislative assembly for questions of international law, a popular complement to the present organization of diplomatic congresses which decide on these matters. This new organ is intended to do business, not occasionally, as diplomatic congresses are now wont to meet for the readjustment of things after some catastrophe, but periodically, for the laying down of permanent general rules of international law, the application of which would belong in the executive sphere to diplomacy and in the judicial sphere to international tribunals of arbitration. In its broad outlines I can see before me the matters to which the congress might extend, and I fully appreciate the utility of its introduction into the machinery of international legislation. Its periodicity would mean legal prevention of conflicts instead of a mere legalization of their consequences; its popular character would go very far to make principles of uni-



versal justice prevail over combinations of temporary expediency. Upon the whole, its realization would mean an immense step in advance toward the ultimate goal of general brotherhood.

What I see less clearly and where the chief difficulty lies is to define the amount of legal force which the decisions of such a congress shall be possessed of and the means of practically enforcing them. And here I warn our American friends of being misled by a fancied analogy between such an association of nations and the union of States in their great Republic. These States were never sovereign Powers till the movement which gave birth to their union at the same time and through the same instrument which proclaimed their emancipation; they have not behind them a history of feuds and antagonisms centuries old; their interests do in the main coincide; their particular mentality is immersed into a stronger feeling of broad American patriotism; their constitution makes the popular assemblies paramount in legislative power, and the agents of executive power, up to the highest one, entirely dependent on the people's will. In Europe you have to reckon with conflicting national histories and mentalities, and with constitutions widely different between themselves and almost all of them much less democratic than the Constitution of the United States. The International Congress as proposed by the American Interparliamentary Group will have to reckon, in Europe, with a double difficulty, a vertically and a horizontally laid one, if I may so express myself, the former arising from the strength of monarchical prerogative in most European constitutions; the second from an energetic consciousness of independent sovereignty pervading all European nations. Neither will the monarchs be found willing to abdicate their privileges in foreign affairs, considered as their own domain through centuries, or even to share them to any large

extent with a newly created International Parliament, nor will the national legislatures be inclined to fetter the absolute independence of their decisions by conferring on an international assembly the power to overrule and to control them in certain questions. I very much doubt whether even the United States, as a nation, would feel inclined to admit such a Power, placed in some respects above them, setting up limits to their national sovereignty.

Now I don't mean to say that these difficulties are not to be surmounted; what I intend to state is only this, that no scheme has any chance of practical realization which does not solve them one way or other. For this purpose you must either be content to give to the resolution of that congress moral weight only, or you must be ready to meet some arduous preliminary questions, which I shall try to indicate directly. In the former case the motion means practically a more elaborate and effective organization of the Interparliamentary Union for international arbitration. I should consider even this as a great step onward, since it is self-evident that a body of delegates, with a mandate from their respective Parliaments, will carry greater moral weight and will have more influence at home than a gathering of men with nothing to lean upon but their individual good will. In the second case, if jurisdiction of some sort is to be vested in that International Parliament, you must begin by examining and defining:

- 1st. The relation in which it is to stand to the heads of States and their diplomatic representation, as acting individually or jointly as a congress;

- 2d. The questions which shall fall within its competence;

- 3d. The mode of its composition—namely, whether all nations shall send an equal number of representatives (as follows from the principle of sovereignty) or

whether their representatives shall be proportioned to the population of each;

4th. The mode of passing resolutions; will unanimous consent be required or will the minority be expected to submit?

5th. The juridical value of these resolutions; will the nations represented bind themselves by a foregoing treaty to accept them as binding or will they reserve the ultimate decision to their own several legislatures?

Several other questions will certainly arise in the course of further discussion, but I think the aforementioned may sum up tolerably well the chief difficulties of the problem. If our American friends with whom that bold move originated have a solution ready for them, a solution which takes into account the history of Europe, the constitution and the psychology of European nations, their motion will be found ripe for immediate acceptance and for vigorous activity on behalf of its prompt realization. But if they are not yet so prepared their magnificent scheme will have to ripen in further discussions and preparatory committees, just as the idea of a permanent court for international arbitration ripened for several years in the discussions of the Interparliamentary Union, till it took shape in 1895, when an elaborate project of such a court was accepted by the Union and presented to the Powers, a project on which The Hague Tribunal is based in the main outlines of its organization.

At all events, you will have the hearty support of the Hungarian Interparliamentary Group. The crisis which weighs upon us at the present moment, and which in its essence means simply a conflict between pretensions to arbitrary power and people's right, in no way affects our capabilities for embracing higher ideals; it rather inspires us with a stronger enthusiasm on their behalf. Nor are our national energies broken by its trying conflicts; on the contrary, we feel rather

invigorated than weakened by the struggle for national independence and constitutional liberty which is again forced upon us. We had to fight for the preservation of these moral treasuries through many eventful centuries; we could never enjoy them in peace and safety, because the spirit of conquest, of oppression and of arbitrary power prevailed in our vicinity. Experience has taught us, then, what a safeguard our neighbor's liberty is to our own and how the highest interests of each nation are dependent on the security of all. Even apart from the mere ideal feelings of universal brotherhood, toward which our souls naturally incline, national egoism is enlightened enough among us to seek for guarantee of its own welfare in the concord and solidarity of mankind.

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## SECOND HAGUE CONFERENCE.

The attention of people everywhere is now turning to the New Conference which is soon to gather at The Hague. For more than a year, or ever since the Inter-parliamentary deputation saw the President in Washington in September, 1904, the meeting of a second conference like that of 1899 has been assured. Now that the Russo-Japanese war is out of the way active preparations are being made for the meeting.

The turn in affairs by which the Czar of Russia is to issue the official invitations to the conference has come as a real surprise to many. President Roosevelt had already, through Mr. Hay, addressed an inquiry to the various governments, and they had all expressed themselves as ready to join in the conference as soon as the proper time should come. It was therefore expected by everybody that the initiative taken by the President would be followed up as soon as the Eastern

war was over, and that the formal invitations to the meeting would be sent out by the Netherlands government in the name of the United States.

One can well understand the wish of the Czar, who called the first conference, to be the promoter of the second also. His desire to do this must have been greatly increased by the discredit which the war has cast upon him as a promoter of peace. This has no doubt brought great distress to him, and his desire to restore the confidence lost is a most laudable one, particularly as he is known to be a sincere friend of peace, and was from the beginning opposed to the policy of the State Council which brought on war. He was practically helpless in the situation, and as the head of the state had to appear in a role which was extremely distasteful to him.

President Roosevelt's willingness to step aside and let the Czar lead in convoking the conference is, under all the circumstances, an act of great consideration and courtesy. It is a fine example of a spirit which has been all too rare in international relations, and will tend to make the influence of the United States in the deliberations perhaps even stronger than it would have been if the meeting had been convened by the President. The credit, however, of initiating the movement for the assembling of the conference will always rightly be given to Mr. Roosevelt.

The conference is to meet—that is the important thing. Owing to the disorders in Russia that came after the end of the war with Japan the meeting may be postponed for a year or two. It will differ from the first conference in being a real world gathering. The South and Central American republics are included in the invitation, as they were not in 1898, and they will doubtless all send representatives. So that instead of twenty-six powers participating, there will be some

forty-four. That will give a significance to the conference which the first, great as it was, did not have.

It has been hinted that the principal business of the conference will be to deal with certain questions of the laws of war which have been made prominent by the Russo-Japanese conflict. This we do not believe. Certain laws of war, particularly as regards the rights of neutrals, will be dealt with, but that will constitute a very minor part of the work. The conference must not be, will not be, allowed to degenerate into a mere post-bellum meeting for the arrangement of certain details of the conduct of fighting. It is to be like the first, a great constructive Peace Conference, whose chief task will be to lay more broadly and deeply the foundations of a juridic order which will ensure to the world general peace, and usher in an era when there will be little or no need for rules of war. The public sentiment of the civilized world will be vastly more potent at The Hague this time than it was seven years ago, and it will insist that the conference give its attention to the high tasks of constructive work for which its calling has been demanded.

It is not possible just yet to determine all the subjects which will be put upon the program, but in general they are well understood and mapped out. The Interparliamentary Union, the Peace Congress, the International Law Association, the National Peace Conferences, eminent diplomats and international jurists, the great monthly and weekly journals, etc., have all been studying the topics with which the conference ought to deal and making practical suggestions thereon.

There is considerable skepticism as to the possibility of getting the question of reduction or limitation of armaments practically dealt with. But the demand for their arrest and reduction has become so great and so insistent that it will be difficult for the

conference to neglect the subject, and we shall be surprised if some practical step, even if small, is not taken. A general treaty of obligatory arbitration for all the nations, stipulating final recourse to The Hague Court for, at least, certain classes of controversies, is certain to find a leading place in the deliberations. The numerous arbitration treaties which have already been concluded between the nations of Europe and those of South America, two and two, have paved the way and created a strong demand for something more general and comprehensive. There is a third subject which will take, or ought to take, a commanding place in the deliberations, namely, that of the establishment of a regular congress or parliament of the nations to meet periodically for the discussion of international problems. The interest in this proposal that has developed since the Massachusetts Legislature first brought it practically before the public, has been quite unprecedented, and there will be an almost irresistible demand from many sources that it be dealt with at The Hague. Many are hoping that, as a beginning of a practical solution of the question, the coming conference may recommend to the governments that The Hague meetings may be made regular and periodic hereafter. Out of that everything else would grow in time.

Among the other subjects whose consideration will naturally come up will be (a) the rights and duties of neutrals, (b) the inviolability of private property at sea in time of war, (c) the codification of international law, (d) the renewal of certain expired conventions of the first Hague Conference, and (e) the extension of the principle of neutralization to further territories and waterways, including, it is to be hoped, the neutralization of the great trade routes on the ocean, as proposed by the Massachusetts State Board of Trade.

### What the World Has Lost by War.

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By JOHN RUSKIN.

Fancy what we should have had around us now, if, instead of quarreling and fighting over their work, the nations had aided each other in their work; or even if in their conquests, instead of effacing the memorials of those they succeeded and subdued, they had guarded the spoils of their victories. Fancy what Europe would be now if the delicate statues and temples of the Greeks, if the broad roads and massy walls of the Romans, if the noble and pathetic architecture of the Middle Ages, had not been ground to dust by mere human rage. You talk of the scythe of Time and the tooth of Time; I tell you Time is scytheless and toothless; it is we who gnaw like the worm, we who smite like the scythe. It is ourselves who abolish, ourselves who consume; we are the mildew and the flame; and the soul of man is to its own work as the moth that frets when it cannot fly, and as the hidden flame that blasts where it cannot illuminate. All these lost treasures of human intellect have been wholly destroyed by human industry of destruction. The marble would have stood its two thousand years as well in the polished statue as in the Parian cliff; but we men have ground it to powder, and mixed it with our own ashes. The walls and the ways would have stood; it is we who have left not one stone upon another, and restored its pathlessness to the desert. The great cathedrals of old religion would have stood; it is we who have dashed down the carved work with axes and hammers, and bid the mountain grass bloom upon the pavement, and the sea winds chant in the galleries.



You will, perhaps, think all this was somehow necessary for the development of the human race. I cannot stay now to dispute that, though I would willingly: but do you think it is still necessary for that development? Do you think that in this nineteenth century it is still necessary for the European nations to turn all the places where their principal art treasures are into battlefields? For that is what they are doing even while I speak: the great firm of the world is managing its business at this moment just as it has done in past time.

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**Thirteenth Interparliamentary Conference at Brussels,  
1905.\***

Though now sixteen years old, the Interparliamentary Union for the promotion of arbitration and friendly relations among the nations is yet but little known to the general public. It is not a popular body, and does not therefore lend itself easily to picturesque reporting. But it is an organization of the utmost importance in bringing about the permanent establishment of peace among the nations. Its membership is entirely confined to members of parliament, who are practical statesmen that have experience in political affairs, and who are close to their respective governments and know the methods by which governments are moved and brought to act. The Union has grown quietly to large proportions, having now more than two thousand members. Its annual meetings, therefore, are occasions of the utmost interest to those occupied with the practical measures necessary to the establishment of general peace throughout the civilized world.

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\* From the Advocate of Peace, Boston.

The Union held its thirteenth conference at Brussels, from the 28th to the 31st of August, 1905. The meetings were in the hall of the Belgian House of Representatives, and were presided over by the distinguished Belgian statesman, Mr. Auguste Beernaert, long speaker of the House. The attendance of members was larger than at the St. Louis Conference in 1904; even the American contingent, eighteen in number, being greater than that which went to St. Louis. Representatives were present for the first time from some of the South American states. Nearly three hundred delegates in all were present from the various national groups, and when they came together, filling practically every seat in the Chamber, the spectacle was a most interesting and imposing one, and suggested many thoughts about the coming parliament of man.

It seems almost a miracle that after so many gloomy centuries of hatred and discord and bloodshed, during which the nations have acted as if they were of different orders of beings and natural enemies, we should now see meeting regularly each year such an international body of statesmen as this. It is evidence, that cannot be gainsaid, that a new order of affairs has already come to the world, and that international order and peace are no longer a dream, but are now a matter of the most practical sort, the era of which has already begun.

The deliberations of the conference were confined almost entirely to two subjects; that of a general treaty of obligatory arbitration and that of the creation of a regular parliament of the nations. Both these subjects secured their place on the program on the initiative of the American delegation. Indeed, outside of the American delegation there seemed to be little or no initiative in the conference.

Mr. Bartholdt, president of the American group

and the seventeen other members of the House of Representatives whom he induced to go with him, took a strong lead in the meeting from the very start. Their presence was much appreciated by the European members, for it was the first time since the organization of the Union that our national Legislature had been adequately represented, only one or two Congressmen having previously attended any of the conferences. Mr. Bartholdt received a royal welcome when he rose to speak, his work in connection with the St. Louis Conference last year and his remarkable success in increasing during the year the United States group from forty to two hundred members having marked him out as a wise and efficient leader.

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### John Hay for Peace.

The death of John Hay, President Roosevelt's Secretary of State, in July, 1905, though not wholly unexpected, fell as a great affliction upon the whole nation, and, indeed, upon the whole world. There was no other man in public life, in any country, so far as we know, who was so universally respected, honored, and trusted. Appreciation of him was even deeper and stronger, if possible, among foreign peoples than at home. He was known and felt to be a truly international man, a man of the whole race, to whom justice and humanity knew no national boundaries, but were the same in China as in Great Britain or the United States.

There is so much in the world of low motive and persistent evil that pessimism as to the future of humanity is a state of mind into which it is very easy to fall. But this world-wide appreciation of a man

like Mr. Hay makes one feel that after all there is a great deal of conscience and high moral aspiration among men in all parts of the globe, which give a most encouraging augury for the future.

It would be easy enough perhaps to point out special things in Mr. Hay's international work which are properly open to criticism. Some of the things which he did, or rather allowed himself to approve, have seemed to us entirely wrong from the moral point of view. But only a few persons have ever doubted that his course in these matters was dictated by what he believed to be the true and best interests of all concerned, or that he was always loyal, or at least meant to be loyal, to the great principles of justice, equality and brotherhood.

Mr. Hay's great and wide influence over the world did not come from the possession of extraordinary abilities. In certain directions, to be sure, he had remarkable talent, but on the whole he was not enough above the average man in the political field to have given him the rank to which he attained. The real secret of his power was his goodness, his unswerving loyalty to truth and principle, which made it as easy for him to do right, as he conceived it, in Washington as in a Sunday school. Wealth did not eat out his vitality. Position did not make him haughty and exclusive. He remained a man, and grew more of a man in it all, so that it was always Mr. Hay himself that drew and held the attention, and not the high position that came to him, or the wealth that fell into his possession.

That he had greatly at heart the world's peace does not need to be said. Everybody that knew him, knew it. What he said in opening the great Peace Congress at Boston in October, 1904, and welcoming the delegates in the name of the government was nothing but the simple expression of what he was and of the prin-

ciples and motives out of which his conduct sprung. Mr. Hay held views about the admissibility of war under certain circumstances to which many of the friends of peace cannot subscribe, but on the constructive side of the organization of peace among the nations he was in the front rank of peacemakers. He believed in and promoted justice—and justice is one of the cornerstones of peace. He believed in the equality of right of the nations, great and small, strong and weak. With all the weight of his high position, as far as it was possible for him to do acting in conjunction with other men, he believed in and practiced international amity and good-fellowship. To do to others as we would have them do to us was to him in international affairs as self-evident a rule of conduct as in the relations of the members of a family, a church or a community.

Here is where his great strength lay, and it was this that made him the beloved and trusted of all men of all lands. In frankness and straightforwardness his diplomacy in the State Department did not differ noticeably from that of the eminent men who had preceded him in the Secretaryship of State. But he won the unique distinction of putting prominently and clearly forward the Golden Rule as the principle which should guide the nation and its citizens in all their relations with other peoples. He could not, of course, in all matters, carry out this great Christian rule of conduct, but he did his best in that direction, and he nailed the rule up in the State Department to remain there.

It is known to many that Mr. Hay was very desirous to push the organization of arbitration among the nations as fast and as far as possible. He negotiated in two months no less than eleven treaties with other governments, ten of which were sent to the Senate. If obstacles to their completion had not

arisen, he would probably before his death have had our country bound by treaty to arbitrate its differences with all the important powers of the world. It is known by his friends that he suffered keenly from the criticism and misinterpretations which befell him in connection with these treaties. The taunt that he was trying to have the State Department usurp an authority not belonging to it fell like a powerful battle axe upon him. To one of his friends he wrote, in substance: "Heaven knows that I had only a sincere desire to promote a little further the establishment and maintenance of peace on earth."

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IN MEMORIAM—JOHN HAY.

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ETHELBERT D. WARFIELD.

"Peace hath her victories!" and such were thine,  
O brave and constant friend of world-wide peace;  
And as today we mourn thy sad decease,  
And for thy bier a fitting chaplet twine,  
We choose no laurels, nor bright bays to shine  
As oft, in earlier years, above thy brow—  
Nor yet the civic oaken crown—but now  
The olive only shall thy locks confine.

Perhaps it was from that great heart who bore  
The bitterest burdens of fraternal strife  
That thou didst learn the paths of peace to love;  
And yet, methinks, thine eyes rose far above  
All human forms to Him whose flawless life  
Triumphed for peace the while hate's thorns He wore.

### **The British National Peace Congress.**

The plan of holding national peace congresses, auxiliary to the international congress, inaugurated by the French peace workers in 1902, has so far proved to be an admirable scheme. These congresses have all been very successful and have done much to arouse and consolidate interest in the peace cause in the countries in which they have been held—France, England, Italy, Germany, Scandinavia, and one or two others. The last French Congress proved to be almost equal in size and force to an international congress.

But the British Congress held at Bristol on the 28th and 29th of June, 1905, the second one of the kind to meet in England, seems to have gone beyond, in weight and significance, all other similar congresses held in any country. Five hundred delegates had been appointed by one hundred and sixty-eight organizations in different parts of the United Kingdom. Some parts of the nation were, however, not represented at all. Of those appointed, more than four hundred and fifty attended.

The delegates were welcomed in the large Y. M. C. A. Hall by Joseph Storrs Fry, who declared that the people of Christian countries ought to review thoroughly their position on the subject of war and peace. The relations of nations "could not possibly be put right without the spirit of the Gospel of Christ." The Bishop of Hereford, responding for the delegates, paid a warm tribute to the work of the Friends in the cause of peace (Mr. Fry being a Friend). He congratulated the young men and women present on having attached themselves to "one of the greatest causes to which they could attach themselves." If he had been inclined to be pessimistic because of the lack of interest observable among many occupying leading and influential positions in England, his visit to the Peace Con-

gress at Boston, in 1904, had saved him from discouragement. "It would have been impossible to be present at that conference, and to mix freely with the American people outside, without feeling, however it might be in Europe, that in America they had a great power, and a growing power, which was destined more and more to exercise an untold influence in favor of the peace of the world." At a devotional service held in the Cathedral next morning, the Bishop gave as a motto for the Congress the words of Zacharias: "The dayspring from on high hath visited us, to give light to them that sit in darkness and in the shadow of death, to guide our feet in the way of peace."

At the first session, the Bishop of Hereford was chosen president, and messages of sympathy were read from a number of absent sympathizers. The opening address of the president was a strong and noble appeal. He felt that the spirit of peace was abroad; that the minds of many had been opened and their consciences stirred by the horrors of the Eastern war; that the masses must be educated as to the real consequences of war, especially upon the life of the people. The five practical suggestions which he made were that they should keep as closely as possible to the advocacy of central principles; avoiding politics, that they should urge upon Cabinet ministers and legislators to embrace every opportunity of lessening armaments, to plead for the reign of law between nations, to train the young in the home and the school in right opinions about war and peace, and to urge upon ministers of the Gospel to do far more than they had done to impress upon the people the great truths of peace and goodwill among men.

The speaking in the Congress was, according to the reports, able and practical. Among those who took part in the discussions were Dr. W. Evans Darby, Miss Priscilla H. Peckover, Joseph Sturge, T. P. New-



man, Mr. Leonard Wigham, a missionary in China, Rev. M. J. Elliott, Felix Moscheles, Hon. W. P. Byles, Mrs. Byles, Mr. H. R. Fox-Bourne, of the Aborigines Protective Society, Sir Matthew Dodsworth, J. Fred Green, Dr. G. H. Clark, Sir William Wedderburn, long in the Civil Service in India, Miss Ellen Robinson, J. G. Alexander, Secretary of the International Law Association, John Mather, G. H. Perris, J. J. Stephenson, Mr. Sherwood Smith, Mr. Charles Townsend, Spencer Leigh Hughes, Miss Frances Thompson, Miss Edith Evans of the National W. C. T. U., J. Hayward, J. E. Bell, B. R. Balfour, Professors T. S. Macey and F. R. Barrell, and others. Many of these are well known names in the peace movement, but the number of new personages is evidence of the ever-widening hold which the peace cause is taking of the British public.

The subjects dealt with were: Arbitration, the government being urged to refer all important controversies with other nations to The Hague Court; the Relation of Missionaries to International Peace, missionaries being encouraged to dissociate themselves entirely from political schemes; Conscription; Organized Labor and Peace; Militarism in India, which figured prominently in the proceedings of one session; the Promoting of Peace by the schools and colleges; the Treatment of Native Races, to which the British peace workers have always given large attention; the Press and War; and the Subject of Armaments, on which the following resolution, moved by G. H. Perris, was adopted:

“Resolved, That in view of the recommendation of The Hague Conference that the problem of armaments should be further studied, and in view of the burdens inflicted on all countries by the growth of armies and navies, this Congress urges that the subject of a truce,

with a view to an ultimate reduction of armaments, should be given the first place in the program of the Second Hague Conference, which the President of the United States has undertaken to summon at the earliest convenient date."

The program thus covered a wide range of topics, most of them often discussed in the international peace congresses. But the British workers showed by their deep interest and the freshness and power of their utterances that these subjects are and always will be new and pertinent until war and its causes and attendant evils are gotten out of the way.

## CHAPTER XVIII.

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### EDUCATIONAL WORK.

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#### Relations of the Schools and Colleges to the Maintenance of Peace.

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An address delivered at the Mohonk Arbitration Conference July 2, 1905, by Dr. Henry M. MacCracken, Chancellor of New York University.

The familiar saying that it takes two persons to make a quarrel and two nations to make a war is true only in the same sense that it takes two men to make a cannibal: it takes one man to eat and the other man to be eaten. It will not suffice, in order to maintain peace between the United States and the other nations of the world, that the men who constitute our own government shall resolve upon peace. It is also necessary that the government of the second part shall in like manner be earnest in its determination to avoid war. When any two governments and the representatives of those governments are each intent upon avoiding war, peace between these two parties will then be preserved. The problem of persuading any two governments to keep the peace is the problem of persuading the persons who constitute these two governments resolutely and ever to reject the thought of war.

I am to discuss the relation of the schools, universities and colleges in the United States to the maintenance of peace. The utmost stretch of imagination would not lead me to find that anything that these universities and colleges can do would banish the possibility of war between any other great nation and our-

selves; but if, on the other hand, we can imagine that throughout a generation the higher schools of learning of our own country had done the utmost possible in teaching a right doctrine respecting national obligations, and that in like manner in a sister nation the teachers of that nation, in school and college and university, had also done their utmost duty in the same direction, then the highest probability would be that the governments of those nations would never dream of arriving at a settlement of their differences by the use of the cannon and sword.

Charity begins at home. The charity towards mankind that would make war impossible, or at least in the highest degree improbable, must begin its work in our own country. But charity that begins at home ought not to stay at home. The universities and colleges of the United States may possibly, after more nearly fulfilling their obligations to their own land, attempt something for other lands in this manner of preventing or hindering the nations of the earth from strife such as this week has strangled from seven to fourteen thousand men in iron boxes under the sea called the Pacific Sea.

What are the universities and colleges of America attempting today in the matter of instruction regarding the neighborship of nations? When I first became the head of a university in the city of Pittsburg, about a quarter of a century ago, it became my duty to give any instruction that was given on international law. I followed the text-book then in use, which was the familiar book of President Woolsey. It contained one hundred and eighty-one pages of peace and two hundred and fourteen pages respecting how they should behave themselves in time of war. Last Monday, when I sat down to cold facts for this address, I sent for the text-book on international law that is used in New York University. I wanted to see what progress

had been made in the course of a quarter of a century. I found that the same author was still in use, but the part devoted to the arts of peace had been diminished from one hundred and eighty-one pages to one hundred and seventy-four pages. It takes seven pages less to discuss the arts of peace today than it did a quarter of a century ago. The part devoted to war twenty-five or thirty years ago was two hundred and fourteen pages: it is now two hundred and twelve pages. That is, it takes substantially as many pages as it ever did to tell nations how to behave in time of war. Remember also that none of these pages are devoted to telling how to avoid war. They are all occupied with the so-called laws for the practice of war. It is strange that right here the contradiction of terms does not strike us. The phrase, "Laws for the practice of war," ought to sound as absurd as laws for the practice of dueling or laws for the practice of adultery. We teach our students in our four hundred universities and colleges a text-book that has more pages on the laws of war than on how nations should behave one to another in peace, or what they ought to do in order to preserve the peace one with another.

This subject of international law is only an elective in our larger colleges and in our universities. In New York University it is required only of a third of the college students, the Historical-Philosophical Group. In many universities it is required of nobody. It is more generally required in the detached colleges. It matters less that it is not required, so long as the very best text-book on the subject takes more pages to tell students the laws for practicing war than the means for preventing war or the rules and measures by which nations should conduct themselves in times of peace. Suppose that our universities and colleges should introduce a text-book to indoctrinate students on the relation of husband and wife, what would you think if

this text-book had one hundred and seventy pages on how husbands and wives should behave themselves when they were at peace one with the other, and two hundred pages on how a husband and a wife should act when they were so unhappy as to be belligerents one against the other?

Possibly some think that college students are taught history during their freshman or sophomore or junior years in such fashion as to indoctrinate them respecting the laws of war. A few weeks since the Association of Teachers of History for the Middle States and Maryland became the guests of New York University in a large and enthusiastic meeting in our downtown University Building at Washington Square. Our professor of history arranged, in connection with the meeting, a complete exhibit of text-books on the history of every nation for the use of the Association. This collection remains as the property of the University, consisting of perhaps two hundred volumes. I have been interested to examine them and can testify that you would never think of them as prescriptions against the contagion of war. They are not so bad as some history text-books a generation ago, but I assure you the tocsin of war will never sound less loudly because of any anti-toxin found in these books. The best that can be said of them is that they devote less proportionate space to accounts of war than histories did a generation ago; but the horror of war, the destruction of war, the crime of war, are not made one-quarter as manifest as they ought to be by these high school and college books.

School histories still look at wars as the Kentucky girl in Bryn Mawr College looked at bloodshed in the street. The story was told here at Mohonk by the president of Bryn Mawr some three years ago. She said one of her professors asked the students in a Shakespeare class what seemed to them the most

human and natural incident in the play of *Romeo and Juliet*. A little freshman from Kentucky answered that the most natural thing in the play, as it seemed to her, was the street brawl between the two families. She was amazed by the shout of laughter from the class that greeted her remark. She did not see that she had said anything amusing, for street brawls and family feuds were to her a most natural way of living. So the most natural way of writing history is to write of wars as the most ordinary and necessary events.

The teaching of history should receive improvement along three distinct lines. The first is the magnifying of the achievements of nations in the arts of peace. This in some measure is being done. The short history of England by J. R. Green marked an epoch in text-books of this kind. The second is a truthful and vivid account of the misery and cost of war. Instead of the conventional and impossible pictures found in our histories of a battlefield, let us insert a few photographs of the actual battlefield just before the dead are interred or even the wounded are removed. Third, let us begin with the history in the high school to describe and to exalt the preventives of war. Possibly the time has not come to insert in every text-book of history, whether for high school or college, a brief history of arbitration with its achievements and its heroes. Among the latter might be given the names of those nine United States Senators who stand for the arbitration treaties now filed in the archives of the Department of State.

This brings me to the question, Can we do anything to promote the education of the party of the second part, especially of those young men of Great Britain or Germany or France or some other nation which will some day constitute the government of that nation or the representatives of its government. The Rhodes benefaction, intended to bring together at the Univer-

sisty of Oxford a hundred young men of all the English-speaking lands, is something accomplished by an Englishman towards the end of which I speak. But the Rhodes Foundation would have accomplished more for international peace had it been wisely planned for this as its main object. Room for doubt exists as to the great value of assembling boys under twenty years of age from all English-speaking lands to follow the undergraduate course that is offered at Oxford. In general, the best place for students under twenty is the college of their own locality. They are apt to be weaned away from the region that they ought to serve by a protracted absence while still in their teents. The Rhodes Foundation would have accomplished a higher end if it had been confined to Bachelors of Arts between twenty-two and thirty years of age, who should have been required, with their other studies, to devote themselves to political history and international law. Instead of the work being done wholly by the ordinary professors of Oxford, Mr. Rhodes might have made the faculty international, as well as the student body. Suppose at Oxford an international faculty to teach the theories of the principal existing governments of the earth, especially the theories of the formation of federal governments like the American and the German. They would inevitably be lead to consider how a further union of nations might be brought about. Another department of lectures would be on the diplomatic achievements accomplished by living men. If the men themselves agreed to tell their story, what daylight would be shed on the business of nations! The business of nations ought to bear the daylight.

Third, the entire theory of international law should be rewritten, involving a study of international relations in recent years. A great professor of Cambridge, England, Professor Whewell, endowed a generation



ago a foundation in that university on international relations, making it a condition that the professor giving the course should suggest measures such as might tend to diminish the evil of war and finally to extinguish war. I regret that the students summoned to England by the Rhodes Endowment are not graduate students, and are not summoned there preeminently to study the improvement of international relations and the best method of bringing about a federalization of empires and kingdoms in the interest of peace and the highest welfare of mankind. Universities are doing something by the interchange of professors to draw the nations together. We bring a professor from Oxford next Christmas to New York University on a subject that makes for peace. Several American universities are arranging interchanges of professors with sister universities abroad. These are helps towards international unity and peace.

Let us, however, dismiss the discussion of what might have been. Let the question rather be, what may now be done through our universities and colleges for the prevention of war. I have indicated very briefly one step. It is that our college faculties teach more and teach better what has been done and what ought to be done for world arbitration. To this end let a new text-book be sought on this subject of international obligations. Even if a poorer book of law than the one now in common use, it may be a far better history and a more inspiring ethical guide.

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### High School Work.

Closely connected with the work of the college is the work of the high school. The college achieves one of its chief results in the shaping and stimulating of

the teaching of the schools which we call our secondary schools. The colleges over a large part of our land are now organized in the support of a college entrance examinations board. This board does not determine for any college what it shall require for admission, but when a college requires history this board can do not a little in defining what the required history shall be, by the examinations which it offers. Suppose that it should at the request of a number of colleges offer an examination upon the history of arbitration. Suppose that these colleges should announce that they would accept this examination in place of the present one on ancient history, postponing this ancient history until some date in the college course. The result would be a general introduction of a text-book on the history of arbitration in the high schools of the United States.

As a life-long advocate of the study of the history of Greece and Rome, I should be entirely willing to have a history of arbitration substituted in its place in the high school curriculum. This history would come more near to the thoughts of the lads from fifteen to eighteen years of age. Greece and Rome are far away and somewhat incomprehensible by the average youth. The history of the efforts of nations to avoid war, including a vivid portrayal of what is to be gained thereby in the saving of life, of toil and treasure, would be related to very recent times. It would treat of nations which every day are named in our papers and which send their sons every week to our shores. When the colleges announce credits for knowledge of the history of arbitrations and offer examinations upon the same, then the teaching of this subject will quickly take its place as a part of the course in history for the hundreds of thousands of youths in the high schools of our land.

The high schools complete the general education of

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

[illegible][illegible][illegible]

only spring  
to study. In

every live college you hear from time to time of a philosophy club, a natural science club of some kind or other, a literature club. In my own college this year the debating team has really been a club for the study of the Asiatic question, for they were called to debate that question. It would not be difficult, after the steps above named have been taken, to secure in many a college a group of bright men or women to organize a club for purposes of propagandism. The name for such a club or group of clubs is an important consideration. Remember that youth are interested not in the abstract so much as in the concrete. They are attracted by a large ideal set before them. For these and other reasons I would have the name of such college clubs suggest to us the largest possible ideal. Such an ideal is one already written down. I find it here in this tract of Congressman Bartholdt, which you have no doubt read. But there may be a better word than the word "congress." But a congress is often only a convention, as the etymology suggests. We have had scores of "peace congresses" that were only conferences. Mr. Bartholdt does not intend any such ideal. He presents twelve articles, of which one reads:

"Deliberations of the Congress to be confined to matters which directly affect intercourse between nations, its resolutions limited to the declaration of general rules or principles for the conduct of such intercourse, and these resolutions to be recognized as law by the nations;" that is a legislature.

"The armed forces of all the nations represented to be at the service of the Congress for the enforcement of any decree rendered;" that is an executive. The Hague Tribunal is a judiciary. This ideal is a world government.

Why not then suggest to these clubs or societies in our colleges and universities the name of "WORLD-

GOVERNMENT CLUBS"? Are not we hoping for a world government? Do we not mean a world government? This tract of Mr. Bartholdt says: "It took six hundred years for the British Parliament to prohibit violent trial of any question by the citizens. It may take six hundred years or only six hundred months for a similar development in international government." The probable delay is no reason against the name that expresses the ideal. Probably delay was no reason against the expression nineteen hundred years since of the angelic ideal of "Peace on Earth, Goodwill to Men"; or one hundred and twenty-nine years ago, of the ideal "All men are free and equal," when Jefferson and Adams saw only white men to be free and politically equal.

I believe that world government, to the extent at least of an adoption by delegates of many nations of a code of international law, is nearer to us than the freedom of citizens before the law was to Jefferson and Adams, nearer by half. The growth of the Interparliamentary Union in seventeen years from nothing to a body enrolling over two thousand lawmakers of nearly all the civilized nations of the earth is a long step toward a world government. These lawmakers, with their associates and their executives, can establish a world government whenever they see fit.

Why not say to our college boys then: Organize world government societies and clubs.

World government is not in the air; it is in men's minds. It is on men's tongues. It is the goal of the straight line along which the wills of strong men now run.

**Victor Hugo on War.**

The following passage on the subject of war occurs in the oration delivered by Victor Hugo at Paris during the International Exposition of 1878, in commemoration of the Centennial of Voltaire's death. It is notable not only for its eloquence, but for the enthusiastic reception accorded to its most radical sentiments by the audience.

"Today force is called violence, and begins to be condemned, and war is arraigned before the bar. Civilization, on the complaint of the human race, is conducting the trial and drawing up the grand indictment of conquerors and captains. . . . (Sensation.) History is called as a witness. At last the truth is known. The artificial glitter vanishes. In many cases the hero is a kind of murderer. (Applause.) People begin to understand that the aggravation of a crime does not make it less criminal, and that if murder is a crime, to murder a multitude cannot be considered an extenuating circumstance. (Cries of bravo.) That if it is disgraceful to rob, it cannot be glorious to loot (repeated applause); that *Te Deums* do not alter the case, that homicide is homicide, that bloodshed is bloodshed, that it does not help matters to be called Caesar or Napoleon, and that in the eyes of the eternal God it does not change the face of a murderer because instead of a felon's cap we put on his head an emperor's crown. (Long continued applause and three cheers.)

"Ah, let us proclaim absolute truths. Let us dishonor war. No, there is no glory in bloodshed. No, it is neither good nor useful to manufacture corpses. No, it is wrong that life should work for death. No, O ye mothers who surround me here, it cannot be that war, the robber, should continue to take your children from you. No, it cannot be that women should bear children in pain, that men should be born, that the

nations should plough and sow, that the peasant should fertilize the fields and the workman make the towns fruitful, that wise men should think, that industry should work miracles, that genius should produce prodigies, that the vast activity of man should, in the presence of the starry sky, multiply its efforts and its products, to result finally in that horrible international exhibition which we call a field of battle!" (Profound sensation. The whole audience rises to its feet and acclaims the speaker.)

Victor Hugo went on to point out that the rulers of the world are responsible for war, war-clouds even then darkening the horizon, and appealed to Voltaire as an authority for peace. "In the presence of threatening possibilities," he cried, "let us be more pacific than ever!"

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### **Hague Conference Heartily Approved by the Late Pope Leo.**

The following correspondence between Wilhelmina Queen of the Netherlands and Pope Leo XIII, shows that both were in earnest, hearty sympathy with the purpose, object and aims of The Hague Conference:

Most August Pontiff: Your Holiness, whose eloquent voice has always been raised with such authority in favor of peace, having quite recently, in your allocution of the 11th of April last, expressed those generous sentiments—more especially in regard to the relations among peoples—I considered it my duty to inform you that, at the request and upon the initiative of His Majesty, the Emperor of All the Russias, I have called together, for the eighteenth of this month, a conference at The Hague, which shall be charged with seeking the proper means of diminishing the present crushing

military charges and to prevent war, if possible, or at least to mitigate its effects.

I am sure that your Holiness will look with sympathy upon the meeting of this conference, and I shall be very happy if, in expressing to me the assurance of that distinguished sympathy, you would kindly give your valuable moral support to the great work which shall be wrought out at my Capital, according to the noble plans of the magnanimous Emperor of All the Russias.

I seize with alacrity upon the present occasion, Most August Pontiff, to renew to your Holiness the assurance of my high esteem and of my personal devotion.

(Signed) WILHELMINA.

Hausbaden, 7th of May, 1899.

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Your Majesty: We cannot but find agreeable the letter by which Your Majesty, in announcing to us the meeting of the Conference for Peace in your Capital, did us the courtesy to request our moral support for that assembly. We hasten to express our keen sympathy for the august initiator of the conference, and for Your Majesty, who extended to it such spontaneous and noble hospitality, and for the eminently moral and beneficent object toward which the labors already begun are tending.

We consider that it comes especially within our province not only to lend our moral support to such enterprises, but to co-operate actively in them, for the object in question is supremely noble in its nature and intimately bound up with our August Ministry, which, through the divine founder of the church, and in virtue of traditions of many secular instances, has been invested with the highest possible mission, that of being a mediator of peace. In fact, the authority of the Supreme Pontiff goes beyond the boundaries of nations; it embraces all peoples, to the end of federat-



ing them in the true peace of the gospel. His action to promote the general good of humanity rises above the special interests which the chiefs of the various states have in view, and, better than any one else, his authority knows how to incline toward concord peoples of diverse nature and character. History itself bears witness to all that has been done, by the influence of our predecessors, to soften the inexorable laws of war, to arrest bloody conflicts when controversies have arisen between princes, to terminate peacefully even the most acute differences between nations, to vindicate courageously the rights of the weak against the pretensions of the strong. Even unto us, notwithstanding the abnormal condition to which we are at present reduced, it has been given to put an end to grave differences between great nations such as Germany and Spain, and this very day we hope to be able soon to establish concord between two nations of South America which have submitted their controversy to our arbitration.

In spite of obstacles which may arise, we shall continue, since it rests with us to fulfil that traditional mission, without seeking any other object than the public weal, without envying any glory but that of serving the sacred cause of Christian civilization.

We beg Your Majesty to accept the expression of our great esteem and our best wishes for your prosperity and that of your kingdom.

From the Vatican, the 29th of May, 1899.

(Signed) LEO P. P. XIII.

## CHAPTER XIX.

### GLIMPSE OF THE FUTURE.

#### Dreams That Are Coming True.

By L. A. MAYNARD. (1905.)

It would be a great mistake to suppose that the advocates and workers for universal peace are satisfied with such truly great and remarkable triumphs as they have already won in the establishment of The Hague tribunal and the conclusion of thirty and more arbitration treaties between various nations of the world. Now that these things, long held as glorious dreams, have come true, these devotees and laborers in the field of world-wide peace are dreaming other dreams and seeing other visions still more beautiful and full of glory, and no less certain of realization in the not distant future. The Hague court and the cause of international arbitration they now regard as firmly established in the good will and confidence of the nations, and as no longer needing special urgency. They are therefore pressing on to the accomplishment of other things which, if not more important in themselves than The Hague court and the arbitration treaties, are their logical sequence, and equally, if not more, essential to the foundation of a world peace that shall be strong and enduring.

First in the progressive and constructive program of these peace workers and dreamers of dreams that come true is the organization of a stated international congress or world legislature. The reasons urged in favor of the creation of such a body are so many, so clear, and so compelling that they need only be stated

to command the hearty assent of all thinking men. In The Hague tribunal the world has what is certain to assume more and more the nature of an international supreme court. A world judiciary being thus in some measure provided for, it follows as a logical necessity in the scheme of world government that we must have a world legislature and also a world executive.

The first step in this plan has already been taken; the others must follow as surely as the cause of humanity and civilization advances. As a matter of fact, the nations have already fully committed themselves to this idea of international congresses; there is therefore nothing novel or revolutionary about it. About thirty such congresses have already been held at irregular intervals during the past century to consider and legislate upon such matters of international concern as the postal service, a uniform system of weights and measures, the suppression of African slavery, and so on.

All that is asked now is that these congresses shall be held at stated periods, say once in seven years, and that the scope of their deliberations, decisions, and recommendations shall be widened to include all questions relating to international affairs. It is proposed that at first this congress shall be simply an advisory body, but it is believed that it must and will ultimately be clothed with full and final legislative power.

It remains to be said that an advisory world congress, such as here briefly outlined, seems to be already far on the way to realization. Since the plan was first proposed in a petition to the Massachusetts Legislature by the American Peace Society two years ago, it has grown rapidly in popular favor in this country and Europe. It secured the prompt indorsement of the Massachusetts Legislature, and has since been made the subject of a memorial to the Senate and House of Representatives, signed by the Governor, the attorney-

general, and all the justices of the Supreme Court of Pennsylvania.

Still more important and significant has been the action of the Interparliamentary Union, a body composed of representatives from nearly all the national legislatures of the world, in placing the establishment of an international congress in the foreground among the great objects to be worked for and attained. In the request which the Interparliamentary Union laid before President Roosevelt a year ago, and which secured from him the promise to call a second peace conference at The Hague, the establishment of a world congress was specifically named as one of the questions which this second conference should consider. It may be therefore virtually regarded as an item of business in the program of that conference when it shall be called.

Congressman Richard Bartholdt, the president of the Interparliamentary Union for the years 1904-1905, has devoted his energies during the past year largely to the promotion of this plan for an international congress, and it was at his instance made a leading topic for discussion at the recent annual meeting of the union in Brussels. With all these powerful influences working in its favor, we may therefore regard the constitution of a world legislature as a moral certainty in the not remote future.

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### Hague Court Only a Beginning.

But, as has already been intimated, this world congress, like The Hague court, is only a part of the noble and far-reaching scheme which the dreamers and visionaries of the peace movement have framed and are working hard to accomplish. They aim at nothing less than the organization of the world into one political body, with component parts similar in their nature and

functions to the parts which compose all modern representative governments. They would not only have a world judiciary, a world legislature, and a world executive, but all these departments properly co-ordinated and directed under a world constitution.

Many of the reasons advanced in support of this lofty and magnificent plan for the world's redemption from war and a thousand other miseries are the same as those already set forth and widely accepted in support of the establishment of The Hague tribunal and a world's congress, and are equally logical and compelling. The organization of the world along the lines proposed by these peace workers is not in reality a dream at all, a millennial vision, illusory and impracticable, but a plan which commends itself to the common sense of all mankind, and which, when once clearly outlined, cannot fail to secure the approval and enthusiastic support of every lover of humanity. Outside the realm of purely religious thought and teaching, a loftier, grander, and more ennobling scheme has never been set before the human mind.

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### **Will Banish War.**

Every consideration which makes and is now making for the unity and solidarity of the human race also makes for the welding of the nations into one political body—a world union of states, a world federation—under which each nation shall preserve as much of its individuality, its sovereignty, and its peculiar and distinctive characteristics as are essential for its highest happiness and prosperity, but under which shall be done away forever those jealousies, prejudices, rivalries, intrigues, and other factors of discord and division such as have made all human history thus far one black

record of hate, cruelty, and bloodshed, and sown the world, even to this day, with unspeakable woes and miseries.

If the growing sense of the fatherhood of God and the brotherhood of man is to have any practical outcome in the world's life; if it is ever to get itself embodied in some real and tangible form, in which it may be a living and compulsive force in the promotion of the well-being of the whole race, then the organization of the world into one political entity must come soon or late as a thing inevitable and absolutely essential in the scheme of things.

In no other way can the present happy and significant tendencies, so obvious to all, toward a world unity in the interests of commerce, science, industry, art, philanthropy, religion and peace find a sure and enduring outcome and basis of support. That all these interests, with others equally precious and essential to human progress and happiness, will be subserved and enhanced by a scheme of political unity taking the place of the present divisive system, in which a premium is placed upon human selfishness and greed, seems too obvious to call for further argument.

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### Other Recent Peace Gatherings.

Among other peace conferences held during the summer of 1905 was the meeting of the International Peace Congress at Lucerne, Switzerland. The attendance was not so large as had been expected, but the proceedings were marked by unusual earnestness, the war in the East, then in progress, apparently spurring the delegates to extra effort.

Of the four hundred delegates present over fifty were from the United States. Germany had forty

representatives, France sixty, England seventy and Switzerland over a hundred. The matter of language caused some confusion but on the whole the proceedings were harmonious and the results quite satisfactory.

The proposition to create a permanent congress of nations was heartily approved, obligatory arbitration was endorsed and great interest was shown in the subject of pacific education.

Another peace gathering of 1905 was the twenty-second annual conference of the International Law Association, held at Christiana, Norway, immediately after adjournment of the Interparliamentary Union at Brussels. It was pronounced the most important meeting ever held by the association, though the subjects considered were more in the nature of lessening the horrors of war than in preventing war.

## CHAPTER XX.

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### BUDDHA.

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#### **The Great Apostle of Peace and Love.**

Gautama, who assumed the name of Buddha (a title which means "The Enlightened"), lived in the sixth century before Christ. Gautama was a prince of the Sakya tribe, and of the Rajgir caste. He became a pilgrim, and inquired after truth and light. After having devoted six years to meditation, in the year 588 B. C. he obtained enlightenment, and devoted the rest of his life to the instruction of his disciples. He sent out his missionaries to convert the world. He taught that all suffering is caused by indulging the desires; that the only hope of relief lies in the suppression of desire, and impressed his principles upon more millions of believers than those of any other religion. It is the boast of the Buddhist that no life was ever sacrificed; that no blood was ever shed; that no suffering was ever caused by the propagation of that faith and the conversion of the world to it.

"It is recorded that two princes were about to engage in a terrible battle in a quarrel over a certain embankment constructed to keep in water. Between these kings and their assembled armies Buddha suddenly appeared and asked the cause of the strife. When he was informed upon the subject, he put the following questions:



"Tell me, O Kings, is earth of any intrinsic value?"

"Of no value whatever," was the reply.

"Is water of any intrinsic value?"

"Of no value whatever."

"And the blood of Kings; is that of any intrinsic value?"

"It's value is priceless!"

"Is it reasonable," asked the Tathagate, "that that which is priceless should be staked against that which has no value whatever?"

The incensed monarchs saw the wisdom of this reasoning and abandoned their dispute.

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There is a story told

In Eastern tents, when autumn nights grow cold,

And round the fire the Mongol shepherds sit

With grave responses listening unto it;

One, on the errand of his mercy bent,

Buddha, the holy and benevolent,

Met a fell monster, huge and fierce of look,

Whose awful voice the hills and forests shook.

"O son of peace!" the giant cried, "thy fate  
Is sealed at last, and love shall yield to hate."

The unarmed Buddha looking, with no trace

Of fear or anger, in the monster's face,

In pity said, "Poor friend, even thee I love."

Lo! as he spoke the sky-tall terror sank

To hand-breadth size; the huge abhorrence shrank

Into the form and fashion of a dove;

And where the thunder of its rage was heard,

Circling above him sweetly sang the bird:

"Hate has no harm for love," so ran the song,

"And peace unweaponed conquers every wrong!"

—John Greenleaf Whittier.

**Wit and Wisdom of the Talmud.**

The Bible was given to establish peace.

Be the first to hold out the hand of peace.

Where there is no peace, nothing flourishes.

Be a disciple of Aaron, loving peace, and pursuing peace.

Sow peace at home, scatter its fruits abroad.

Peace is the wisp of straw which binds the sheaf of blessings.

He who maketh peace among strivers will inherit eternal life.

Discord is like a leak in a cistern. Drop by drop all the water escapes.

When two men quarrel, he who is first silent is the better man.

Great is peace, for it is to the world what yeast is to the dough.

When do justice and good will meet? When the contending parties are made to agree peaceably.

Peace is the vessel in which all God's blessings are preserved to us and preserved by us.

Strife is like a jet of water pouring through a crevice; the wider the crevice, the stronger the flow.

Those who, when offended, do not give offense, when hearing slighting remarks, do not retaliate, they are the friends of God, they shall shine forth like the sun in its glory.

Have a soft reply to turn away anger, and let thy peace be abundant with thy brother, with thy friend, and with everybody, even with the Gentile in the street, that thou shalt be beloved above and esteemed below.

A man in a passion rides a mad horse.

An idle brain is a devil's workshop.

A small leak will sink a ship.

Corkscrews have sunk more people than cork jackets will ever keep up.

Doing an injury puts you below your enemy; revenging one makes you but even with him; forgiving it sets you above him.

Peace gains her victories with spears of grain and blades of grass.

There is beauty enough on earth to make a home  
Who preaches war is the devil's chaplain.

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### The Law of Benevolence.

We suppose that no thoughtful man will deny that the characteristic nature of the Moral Law is a law of benevolence. Benevolence means good-will and kind affections toward one another, and is placed at the base of practical morality; it is "the fulfilling of the law"; it is the test of the validity of our pretensions of the Christian character. We can moreover see no reason to doubt that this law of Benevolence is universally applicable to public affairs as well as to private, to the intercourse of nations as well as of men. Let us refer, then, to some of those requisitions of this law which appear peculiarly to respect the question of the moral character of war.

"Have peace with one another. By this shall all men know that ye are My disciples, if ye have love one to another."

"Walk with all lowliness and meekness, with long suffering, forbearing one another in love."

"Be ye all of one mind, having compassion one of another; love as brethren, be pitiful, be courteous; not rendering evil for evil, or railing for railing."

"Be at peace among yourselves. See that none ren-

der evil for evil unto any man. God hath called us to peace."

"Follow after love, patience, meekness. Be gentle, showing all meekness unto all men. Live in peace."

"Lay aside all malice. Put off anger, wrath, malice, Let all bitterness, and wrath, and anger, and clamour, and evil speaking, be put away from you, with all malice."

"Avenge not yourselves. If thine enemy hunger, feed him; if he thirst, give him drink. Recompense to no man evil for evil. Overcome evil with good."

"And I will give peace in the land, and ye shall lie down, and none shall make you afraid; and I will rid evil beasts out of the land, neither shall the sword go through your land."—Lev. 26-6.

"I will hear what God, the Lord, will speak; for He will speak peace unto his people, and to his saints; but let them not turn again to folly."—Ps. 85-8.

"Mark the perfect man, and behold the upright; for the end of that man is peace."—Ps. 37-37.

"Blessed are the peacemakers; for they shall be called the children of God."—Matt. 5-9.

"Let us therefore follow after the things which make for peace, and things wherewith one may edify another."—Rom. 14-19.

"When a man's ways please the Lord, he maketh even his enemies to be at peace with him."—Prov. 16-7.

"And he shall speak peace unto the nations."—Zach. 9-10.

"Live in peace and the God of love and peace shall be with you."—2 Cor. 13-11.

"Follow peace with all men, and the holiness without which no man shall see the Lord."—Hebrews 12-14.

"Glory to God in the highest, and on earth peace, good will toward men."—Luke 2-14.

"Thou shalt not kill."

Now, we ask of any man who looks over these passages, what evidence do they convey respecting the lawfulness of war?

## CHAPTER XXI.

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### PEACE IN PROSE AND POETRY.

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How sweet the products of a peaceful reign.  
The heaven-taught poet and enchanting strain;  
The well-fill'd palace, the perpetual feast,  
A land rejoicing, and a people blest.—Pope.

Peace o'er the world her olive wand extend,  
And white-robed innocence from heaven descend.  
—Pope.

The trumpets sleep, while cheerful horns are blown,  
And arms employ'd on birds and beasts alone.—Pope.

Oh, stretch thy reign, fair peace, from shore to shore,  
Till conquest cease, and slav'ry be no more;  
Till the freed Indians in their native groves  
Keep their own fruits and woo their sable loves.—Pope.

Lovely concord and most sacred peace  
Doth nourish virtue, and fast friendship breeds;  
Weak she makes strong, and strong things does in-  
crease  
Till it the pitch of highest praise exceeds.—Spenser.

Now no more the drum  
Provokes to arms, or trumpets' clangor shrill  
Affrights the wives, or chills the virgin's blood.  
—John Phillips.

Oh, first of human blessings. And supreme,  
 Fair Peace. How lovely, how delightful thou.  
 By whose wide tie the kindred sons of men  
 Live, brothers like, in amity combined,  
 And unsuspecting faith; while honest toil  
 Gives every joy, and to those joys a right  
 Which idle, barbarous rapine but usurps.

—Thomas Brittonia.

You, my lord archbishop,  
 Whose see is by a civil peace maintain'd,  
 Whose beard the silver hand of peace hath touch'd,  
 Whose learning and good letters peace hath tutor'd,  
 Whose white investments figure innocence,  
 The dove, and every blessed spirit of peace;  
 Wherefore do you so ill translate yourself  
 Out of the speech of peace, that bears such grace,  
 Into the harsh and boisterous tongue of war?

—Shakespeare.

We charge you, on allegiance to yourself,  
 To hold your slaughtering hands, and keep the peace.

—Shakespeare.

Dear nurse of arts, plenties, and joyful birth.

—Shakespeare.

In her days every man shall sing  
 The merry songs of peace to all his neighbors.

—Shakespeare.

To find a tree it shall not be his hap,  
 And peace shall lull him in her flow'ry lap.—Milton.

Cease, then, this impious rage;  
 But he, her fears to cease,  
 Sent down the meek-eyed peace.—Milton.

Waving wide her myrtle wand,  
 She strikes an universal peace through sea and land.  
 —Milton.

Take heed lest passion sway  
 Thy judgment to do aught which else free will  
 Would not admit.—Milton.

War, he sung, is toil and trouble;  
 Honor, but an empty bubble;  
 Never ending, still beginning,  
 Fighting still, and still destroying;  
 If the world be worth thy winning,  
 Think, oh, think it worth enjoying.  
 —Dryden: "Alexander's Feast."

Peace is tinkling on the shepherd's bell  
 And singing with the reapers.  
 It's coming yet, and a' that,  
 That man to man, the world o'er,  
 Shall brothers be, for a' that.—Burns.

Till the war-drums throbbed no longer, and the battle-  
 flags were furled,  
 In the Parliament of Man, the federation of the world:  
 There the common sense of most shall hold a fretful  
 realm in awe,  
 And the kindly earth shall slumber, lapped in uni-  
 versal law.

For right is right, since God is God,  
 And right the day must win;  
 To doubt would be disloyalty,  
 To falter would be sin.

All men's good  
 Be each man's rule, and universal peace  
 Lie like a shaft of light across the land.



And like a lane of beams athwart the sea,  
Through all the circle of the golden year.

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A certain peace is to be preferred to an expected victory.

A disadvantageous peace is better than the most just war.

Better a lean peace than a fat victory.

Better an egg in peace than an ox in war.

Better an unjust peace than a just war.

By wisdom peace, by peace plenty.

From prudence peace, from peace abundance.

One peace is better than ten victories.

Peace feeds, war wastes; peace breeds, war consumes.

Peace flourishes when reason rules.

Peace hath her victories no less renowned than war.

Peace is the father of friendship.

Who loves peace serves God.

You must ask your neighbor if you shall live in peace.

People are always expecting to get peace in heaven; but you know whatever peace they get there will be ready-made. Whatever of making peace they can be blest for must be on the earth here.—Ruskin.

Should men, who have been called the noblest work of God, destroy each other by bloody warfare?—H. L. Boyle.

Peace implies reconciliation.—Burke.

Peace is the fairest form of happiness.—William Ellery Channing.

Peace is liberty in tranquility.—Cicero.

Peace is not mere tranquility, for tranquility may be indifference.—Samuel W. Duffield.

Nothing can bring you peace but yourself. Nothing can bring you peace but the triumph of principles.—Emerson.

There never was a good war or a bad peace.—  
Benjamin Franklin.

Where there is discipline there is virtue, where  
there is peace there is plenty.

Kindness is the noblest weapon to conquer with.  
—Shakespeare.

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### What Great Soldiers Have Said.

"The more I study the world, the more am I convinced of the inability of brute force to create anything durable."—Napoleon at St. Helena.

"My first wish is to see this plague to mankind banished from the earth," and, "although it is against the profession of arms and would clip the wings of some young soldiers soaring after glory, to see the whole world in peace and the inhabitants striving who should contribute most to the happiness of mankind."—Washington.

"I confess without shame that I am tired and sick of the war. Its glory is all moonshine. It is only those who have neither heard a shot nor heard the shrieks and groans of the wounded who cry aloud for more blood, more vengeance, more desolation." "War is hell."—General Sherman.

"War will eliminate itself. \* \* \* By the next centennial, arbitration will rule the world."—General Sheridan.

"Though I have been trained as a soldier, and have participated in many battles, there never was a time when, in my opinion, some way could not have been found of preventing the drawing of the sword. I look forward to an epoch when a court, recognized by all nations, will settle international differences, instead of keeping large standing armies as they do in England."—General U. S. Grant.

"With malice toward none, with charity for all; with firmness in the right as God gives us to see the right; let us strive on to finish the work we are in; to bind up the Nation's wounds; to care for him who shall have borne the battle and for his widow and his orphan—to do all which may achieve and cherish a just and lasting peace among ourselves and with all Nations."—Abraham Lincoln.

"Let us remember that our interests are in concord, not conflict, and that our real eminence rests in the victories of peace, not those of war."—President McKinley in his last speech at the Pan-American Exposition.

"All patriotic Americans must enjoy with enthusiasm the celebration of the nation's birthday. I trust that for many years to come, if not for all time, the only gunpowder we Americans are called upon to burn will be that burned in the celebration of the Fourth of July."—General Nelson A. Miles.

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### The Peace-Pipe.

On the mountains of the Prairie,  
On the great Red Pipe-stone Quarry,  
Gitche Manito, the mighty,  
He, the Master of Life, descending,  
On the red crags of the quarry  
Stood erect, and called the nations,  
Called the tribes of men together.

From his footprints flowed a river,  
Leaped into the light of morning,  
O'er the precipice plunging downward  
Gleamed like Ishkoodah, the comet.  
And the Spirit, stooping earthward,

With his finger on the meadow  
Traced a winding pathway for it,  
Saying to it, "Run in this way!"

From the red stone of the quarry  
With his hand he broke a fragment,  
Moulded it into a pipe-head,  
Shaped and fashioned it with figures;  
From the margin of the river  
Took a long reed for a pipe-stem,  
With its dark green leaves upon it;  
Filled the pipe with bark of willow,  
With the bark of the red willow;  
Breathed upon the neighboring forest,  
Made its great boughs chafe together,  
Till in flame they burst and kindled;  
And erect upon the mountains,  
Gitche Manito, the mighty,  
Smoked the calumet, the Peace-pipe,  
As a signal to the nations.

And the smoke rose slowly, slowly,  
Through the tranquil air of morning,  
First a single line of darkness,  
Then a denser, bluer vapor,  
Then a snow-white cloud unfolding,  
Like the tree-tops of the forest,  
Ever rising, rising, rising,  
Till it touched the top of heaven,  
Till it broke against the heaven,  
And rolled outward all around it.

From the vale of Tawasentha,  
From the Valley of Wyoming,  
From the groves of Tuscaloosa,  
From the far-off Rocky Mountains,  
From the Northern lakes and rivers,

All the tribes beheld the signal,  
Saw the distant smoke ascending,  
The Pukwana of the Peace-pipe.

And the prophets of the nations  
Said, "Behold it, the Pukwana!  
By this signal from afar off,  
Bending like a wand of willow,  
Waving like a hand that beckons,  
Gitche Manito, the mighty,  
Calls the tribes of men together,  
Calls the warriors to his council!"

Down the rivers, o'er the prairies,  
Came the warriors of the nations,  
Came the Delawares and Mohawks,  
Came the Choctaws and Comanches,  
Came the Shoshones and Blackfeet,  
Came the Pawnees and Omahas,  
Came the Mandans and Dacotahs,  
Came the Hurons and Ojibways,  
All the warriors drawn together,  
By the signal of the Peace-pipe  
To the Mountains of the Prairie,  
To the great red Pipe-stone Quarry.

And they stood there on the meadow,  
With their weapons and their war-gear,  
Painted like the leaves of Autumn,  
Painted like the sky of morning,  
Wildly glaring at each other;  
In their faces stern defiance,  
In their hearts the feuds of ages,  
The hereditary hatred,  
The ancestral thirst of vengeance.

Gitche Manito, the mighty,  
The creator of the nations,

Looked upon them with compassion,  
With paternal love and pity;  
Looked upon their wrath and wrangling  
But as quarrels among children,  
But as feuds and fights of children!

Over them he stretched his right hand,  
To subdue their stubborn natures,  
To allay their thirst and fever,  
By the shadow of his right hand;  
Spake to them with voice majestic  
As the sound of far-off waters  
Falling into deep abysses,  
Warning, chiding, spake in this wise:

“O, my children! my poor children!  
Listen to the words of wisdom,  
Listen to the words of warning,  
From the lips of the Great Spirit,  
From the Master of Life, who made you.

“I have given you lands to hunt in,  
I have given you streams to fish in,  
I have given you bear and bison,  
I have given you roe and reindeer,  
I have given you brant and beaver,  
Filled the marshes full of wild-fowl,  
Filled the rivers full of fishes;  
Why then are you not contented?  
Why then will you hunt each other?

“I am weary of your quarrels,  
Weary of your wars and bloodshed,  
Weary of your prayers for vengeance,  
Of your wranglings and dissensions;  
All your strength is in your union,  
All your danger is in discord;  
Therefore be at peace henceforward,

And as brothers live together.

"I will send a Prophet to you,  
A Deliverer of the nations,  
Who shall guide you and shall teach you,  
Who shall toil and suffer with you.  
If you listen to his counsels,  
You will multiply and prosper;  
If his warnings pass unheeded,  
You will fade away and perish!

"Bathe now in the stream before you,  
Wash the war paint from your faces,  
Wash the blood stains from your fingers,  
Bury your war-clubs and your weapons,  
Break the red-stone from this quarry,  
Mould and make it into Peace-Pipes,  
Take the reeds that grow beside you,  
Deck them with your brightest feathers,  
Smoke the calumet together,  
And as brothers live henceforward!"

Then upon the ground the warriors  
Threw their cloaks and shirts of deer-skin,  
Threw their weapons and their war-gear,  
Leaped into the rushing river,  
Washed the war-paint from their faces.  
Clear above them flowed the water,  
Soiled and stained with streaks of crimson,  
As if blood were mingled with it.  
From the river came the warriors,  
Clean and washed from all their war-paint;  
On the banks their clubs they buried,  
Buried all their war-like weapons.  
Gitche Manito, the mighty,  
The Great Spirit, the creator,  
Smiled upon his helpless children.

And in silence all the warriors  
Broke the red stone of the quarry,

Smoothed and formed it into Peace-Pipes,  
Broke the long reeds by the river,  
Decked them with their brightest feathers,  
And departed each one homeward,  
While the Master of Life, ascending,  
Through the opening of cloud-curtains,  
Through the doorways of the heaven,  
Vanished from before their faces,  
In the smoke that rolled around him,  
The Pukwana of the Peace-Pipe!

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### The Aresenal at Springfield.

This is the Arsenal. From floor to ceiling,  
Like a huge organ, rise the burnished arms,  
But from their silent pipes no anthem pealing  
Startles the village with strange alarms.

Ah! what a sound will rise, how wild, how dreary,  
When the death-angel touches those swift keys!  
What loud lament and dismal Miserere  
Will mingle with their awful symphonies!

I hear even now the infinite fierce chorus,  
The cries of agony, the endless groan,  
Which, through the ages that have gone before us,  
In long reverberations reach our own.

On helm and harness rings the Saxon hammer,  
Through Cimbric forests roars the Norseman's song,  
And loud, amid the universal clamor,  
O'er distant deserts sounds the Tartar gong.

I hear the Florentine, who from his palace  
Wheels out his battle-bell with dreadful din,  
And Aztec priests upon their teocallis  
Beat the wild war-drums made of serpents' skin;



The tumult of each sacked and burning village;  
The shout that every prayer for mercy drowns;  
The soldiers' revels in the midst of pillage;  
The wail of famine in beleaguered towns;

The bursting shell, the gateway wrenched asunder,  
The rattling musketry, the clashing blade;  
And ever and anon, in tones of thunder,  
The diapason of the cannonade.

Is it, O man, with such discordant noises,  
With such accursed instruments as these,  
Thou drownest Nature's sweet and kindly voices,  
And jarrest the celestial harmonies?

Were half the power, that fills the world with terror,  
Were half the wealth, bestowed on camps and courts,  
Given to redeem the human mind from error,  
There were no need of arsenals or forts:

The warriors' name would be a name abhorred!  
And every nation, that should lift again  
Its hand against a brother, on its forehead  
Would forevermore wear the curse of Cain!

Down the dark future, through long generations,  
The echoing sounds grow fainter and then cease;  
And like a bell, with solemn, sweet vibrations,  
I hear once more the voice of Christ say, "Peace!"

Peace! and no longer from its brazed portals  
The blast of War's great organ shakes the skies!  
But beautiful as songs of the immortals,  
The holy melodies of love arise.

—H. W. Longfellow.

**Disarmament.**

"Put up the sword!" the voice of Christ once more  
Speaks, in the pauses of the cannon's roar,  
O'er fields of corn by fiery sickles reaped  
And left dry ashes; over trenches heaped  
With nameless dead; o'er cities starving slow  
Under a rain of fire; through words of woe  
Down which a groaning dispassion runs  
From tortured brothers, husbands, lovers, sons  
Of desolate women in their far-off homes  
Waiting to hear the step that never comes!  
O, men and brothers! let that voice be heard.  
War fails. Try peace; put up the useless sword!

Fear not the end. There is a story told  
In Eastern tents, when autumn nights grow cold,  
And round the fire the Mongol shepherds sit  
With grave responses listening unto it:  
Once, on the errand of his mercy bent,  
Buddha, the holy and benevolent,  
Met a fell monster, huge and fierce of look,  
Whose awful voice the hills and forests shook.  
"O, son of peace!" the giant cried, "thy fate  
Is sealed at last, and love shall yield to hate."  
The unarmed Buddha looking, with no trace  
Of fear or anger, in the monster's face  
In pity said, "Poor friend, even thee I love."  
Lo! as he spoke the sky-tall terror sank  
To hand-breadth size; the huge abhorrence shrank  
Into the form and fashion of a dove;  
And where the thunder of its rage was heard,  
Circling above him sweetly sang the bird:  
"Hate has no harm for love," so ran the song,  
"And peace unweaponed conquers every wrong!"  
—John Greenleaf Whittier.

**PEACE!**

By ERNEST NEAL LYON.

Beat your sabers into plowshares!  
 Kennel all your dogs of war!  
 Let the blossoms show their beauty  
 O'er the trenches' ragged scar!  
 Forward! March! To nobler music  
 Than the war-drum's raucous din,  
 With the voices of Evāngels,  
 Sing the Golden Era in!

**PEACE AND THE WORLD-SOUL.**

By EDITH M. THOMAS.

I sent my soul to ask the Wold-Soul why  
 Life-loving men the chance of war still court  
 Who all so soon this sweet, known earth must fly,  
 Yet haste to launch away to Death's dark port!

The World-Soul answered (not from Time nor space):  
 "O fretful atoms 'neath your transient sun,  
 It is, that yet ye speak of sundered race,  
 Of alien tribe and law—who are but one;

"For one ye are, wherever men shall fall;  
 Ye are but one (misnamed as 'friend and foe'),  
 In whatsoever tongue your pale lips call  
 On whatsoever Name of God men know!"

Now—since my soul the World-Soul did entreat,  
 Through all embattled lands I fain would run,  
 Crying: "This knowledge, brothers, is so sweet—  
 Rest ye, and hear, we are but one, but one!"

### Put Up Thy Sword.

---

By JOAQUIN MILLER.

And who the bravest of the brave,  
The bravest hero ever born?  
'T was one who dared a felon's grave,  
Who dared to bear the scorn of scorn.  
Nay, more than this; when sword was drawn  
And vengeance waited for His word,  
He looked with pitying eyes upon  
The scene, and said: "Put up thy sword."  
Oh God! could one be found today  
As brave to do, as brave to say?

"Put up thy sword into his sheath,"  
Put up thy sword, put up thy sword!  
By Cedron's brook thus spake beneath  
The olive-trees our valiant Lord,  
Spake calm and king-like. Sword and stave  
And torch, and stormy men of death  
Made clamor. Yet he spake not, save  
With loving word and patient breath,  
The peaceful olive-boughs beneath:  
"Put up thy sword into his sheath."

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## CHAPTER XXII.

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### PEACE HYMNS AND PRAYERS.

#### The Song of Peace.

(Music by F. Silcher, German composer, 1789-1860.)

All at peace, the stars above,  
Wander on forever;  
Side by side, in bonds of love,  
Dimm'd by discord never!

Earth and heaven bid us live  
Peacefully together,  
Men by peace alone can give  
Blessings to each other!

Oh! then let us banish strife,  
All each other loving;  
Hand in hand we'll walk thro' life,  
Ee'er in friendship moving!

Like the brook our lives will flow,  
If to concord given;  
Till in peace we calmly go  
To our home in heaven!

**Peace on Earth.**

Peace, peace on earth! the heart of man forever  
Through all these weary strifes foretells the day;  
Blessed be God, the hope forsakes him never.  
That war shall end and swords be sheathed for aye.

Peace, peace on earth! for men shall love each other,  
Hosts shall go forth to bless and not destroy;  
For man shall see in every man a brother,  
And peace on earth fulfill the angels' joy.

---

1.

Lord, send Thy word, and let it fly,  
Arm'd with Thy Spirit's power;  
Ten thousands shall confess its sway,  
And bless the saving hour.

Beneath the influence of Thy grace,  
The barren wastes shall rise,  
With sudden greens and fruits array'd,  
A blooming paradise.

True holiness shall strike its root  
In each regenerate heart;  
Shall in a growth divine arise,  
And heavenly fruits impart.

Peace, with her olives crown'd, shall stretch  
Her wings from shore to shore;  
No trump shall rouse the rage of war,  
Nor murd'rous cannon roar.

Lord, for those days we wait; those days  
Are in Thy word foretold;

Fly swifter, sun and stars, and bring  
This promis'd age of gold.

"Amen," with joy divine, let earth's  
Unnumber'd myriads cry ;  
"Amen," with joy divine, let heaven's  
Unnumber'd choirs reply.

## ii.

Night spread her starless robe around,  
The sun withdrew his light ;  
Gloom brooded o'er the battle ground,  
And darkness hid the sight.

But there was woe, and pain, and death,  
And horror, and despair,  
Where the deep groan and dying breath  
Utter'd the hopeless prayer.

There was distress no tongue could tell,  
Remorse that stung the soul :  
That scene is all an earthly hell,  
And deep its billows roll.

Dear Savior, send Thy peaceful light,  
To show the holier way ;  
Dispel the shades of error's night,  
And bring the perfect day.

## iii.

O, Christian, see that dread array,  
A marshall'd army stand ;  
Hear the drums beat—'tis battle-day,  
And madness leads the band.

'Mid clash of arms and cannon's roar,  
And shrieks that rend the skies :

In torrents deep of human gore,  
Man curses man, and dies!

Was it "To arms," the Savior said,  
When enemies were round?  
Did He call legions to His aid,  
And dash them to the ground?

O, no! His words were all, "Forgive,"  
And meekly bore the ill;  
He died Himself, that they might live,  
And Christ is mercy still.

## iv.

Peace! the welcome sound proclaim;  
Dwell with rapture on the theme;  
Loud, still louder swell the strain,  
Peace on earth, good will to men.

Breezes, whisp'ring soft and low,  
Gently murmur as ye blow;  
Breathe the sweet celestial strain,  
Peace on earth, good will to men.

Ocean's billows, far and wide,  
Rolling in majestic pride,  
Loud, still louder swell the strain,  
Peace on earth, good will to men.

Christians, who these blessings feel,  
And in adoration kneel,  
Loud, still louder swell the strain,  
Praise to God, good will to men.

## v.

No war nor battle's sound  
Was heard the earth around,



No hostile chiefs to furious combat ran;  
But peaceful was the night,  
In which the Prince of light  
His reign of peace upon the earth began.

No conqu'ror's sword He bore,  
Nor war-like armor wore,  
Nor haughty passions rous'd to contest wild;  
In peace and love He came,  
And gentle was the reign  
Which o'er the earth He spread by influence mild.

Unwilling kings obey'd,  
And sheath'd the battle blade,  
And call'd their bloody legions from the field;  
In silent awe they wait,  
And close the warrior's gate,  
Nor know to whom their homage thus they yield.

The peaceful conqu'ror goes,  
And triumphs o'er his foes,  
His weapons drawn from armories above:  
Behold the vanquish'd sit,  
Submissive at His feet,  
And strife and hate are chang'd to peace and love.

## vi.

Blest are the sons of peace,  
Whose hearts and hopes are one,  
Whose kind designs to serve and please  
Through all their actions run.

Blest is the pious house  
Where zeal and friendship meet;  
Their songs of praise, their mingled vows,  
Make their communion sweet.

Thus on the heavenly hills,  
The saints are blest above,  
Where joy like morning dew distills,  
And all the air is love.

## vii.

Hush the loud cannon's roar,  
The frantic warrior's call!  
Why should the earth be drench'd with gore?  
Are we not brothers all?

Want, from the wretch depart!  
Chains, from the captive fall!  
Sweet mercy, melt the oppressor's heart—  
Sufferers are brothers all.

Churches and sects, strike down  
Each mean partition wall!  
Let love each harsher feeling drown—  
Christians are brothers all.

Let love and truth alone  
Hold human hearts in thrall,  
That heaven its work at length may own,  
And men be brothers all.

## viii.

"Peace," was the song the angels sung,  
When Jesus sought this vale of tears.  
And sweet that heavenly prelude rang,  
To calm the watchful shepherd's fears:  
"War" is the word that man hath spoke,  
Convuls'd by passion dark and dread;  
And pride enforc'd a lawless yoke,  
E'en while the gospel's banner spread.

"Peace" was the prayer the Savior breath'd,  
 When from our world His steps withdrew;  
 The gift He to His friends bequeath'd,  
 With Calvary and the cross in-view.

## ix.

O God of love, O King of peace,  
 Make wars thro'out the word to cease,  
 The wrath of sinful man restrain,  
 Give peace, O God, give peace again!

Whom shall we trust but Thee, O Lord?  
 Where rest, but on Thy faithful Word?  
 None ever called on Thee in vain;  
 Give peace, O God, give peace again!

Where saints and angels dwell above,  
 All hearts are knit in holy love;  
 O bind us in that heavenly chain!  
 Give peace, O God, give peace again!

—H. H. Baker.

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**New Hymn of Peace.**

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 Newspaper Enterprise Association.)

With echoes of a time long past,  
 With images that ne'er decay,  
 With grief in mold of glory cast,  
 Draws near our Decoration Day.

Hushed be the hum of toil and thrift,  
 Unheard the boast of ease and wealth;

A distant music should uplift  
The pulse of man's diviner health.

Sound, Bugle, but no more to call  
The gathering legions to their task.  
Flowers, bloom your brightest, though you fall  
Where sculptured stone a burial mask.

With noiseless footsteps on they come,  
With aspect solemn and severe,  
As answering taps of muffled drum  
The heroes of the Past appear.

Oh, silent Phalanx! did we heed  
The deathless message that you bring,  
Armed should we be for every need,  
Trained for great Duty's marshaling.

We who our blooming manhood gave  
To keep our country's promise true,  
Salute you, from each warrior grave  
Our pledge of brotherhood renew.

Never for empty sound of fame,  
Never for heaps of sordid gold,  
Never for popular acclaim  
Be the Land's sacred birthright sold.

Be this the lesson of our fight,  
So plain that man may, reading, run;  
Rise ever up for human right,  
And rest in God when Right has won.

—Julia Ward Howe.



# APPENDIX.

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## Number of Controversies Settled by Arbitration up to the Year 1903.

During and up to the year 1903, the United States has settled sixty-three disputes with other nations, either by joint commissions or by arbitral tribunals.

The number of cases decided by Great Britain during the century runs up to 78; France, during the century, has settled 23 cases by arbitration; Chili has settled 15, Peru 9, Germany 10, Mexico 5, Spain 12, Belgium 3, Holland 6, Siam 2, Denmark 2, Hayti 6, Russia 4, Greece 3, Brazil 11, Turkey 2, The Argentine Republic 9, Italy 7, Bolivia 2, Portugal 9, Liberia 1, Austria 1, Afghanistan 3, Persia 3, San Domingo 1, Salvador 1, Sweden and Norway 1.

## Peace Societies and Conferences.

During the past few years many notable conferences have been held, and all have unanimously expressed a desire that differences between nations should be settled by humane methods. Among these was the great International Peace Conference at The Hague, in which twenty-six progressive nations participated; the Conference of American States, convened at the City of Mexico, in which nineteen nations participated; the Peace Conference of the Churches at Glasgow; the Congress at Monaco; the Lake Mohonk Conferences; the American Friends' Peace Conference,

held at Philadelphia; the Universal Peace Union, also convened at Philadelphia; the Twentieth Conference of the International Law Association, held at Glasgow; the meeting of the Connecticut Peace Society, at Mystic, Conn.; the International Christian Endeavor Society meeting at Detroit, Mich.; the meeting of the Universal Peace Society, Boston, Mass.; the National School Teachers' Association meeting in California; the Bar Association in Buffalo, N. Y.; the Ecumenical Council, etc.

Societies are being constantly organized for the betterment of mankind, and peace organizations and conferences are endeavoring to hasten the day when there shall be no more wars.

#### **Digest of Arbitrations Between the United States and Other Nations.**

1. Saint Croix River, under Jay Treaty of December 3, 1783.

Decided October 25, 1789, Original Boundaries of the United States.

2. Islands in the Bay of Fundy, under Jay Treaty of December 3, 1783.

Decided November 24, 1817, that Moose, Dudley and Frederick Islands should belong to the United States, and that the Island of Grand Menan belong to Great Britain.

3. The Northwestern Boundary.

Commissioners disagreed, and adjourned to October 4, 1821.

4. The Northwestern Boundary, between Maine and New Brunswick.

Decided August 9, 1842, giving the United States 7,015 square miles and Great Britain 5,012 square miles of the disputed territory and some \$300,000 paid Maine and Massachusetts by the United States.

5. River and Lake Boundary. Commission under Paragraph VI. of Treaty of Ghent.

Decided June 8, 1822, boundaries established to run through the middle of Lakes Ontario, Erie and Huron, and all islands in said lakes to belong to the country within whose boundaries they lie.

6. Lake Huron to Lake of the Woods Boundary. Commission under Article VII. of Treaty of Ghent.

Decided August 9, 1842, Island of St. George granted to the United States, and free and unobstructed use of channels between Great Lakes granted to all parties.

7. San Juan Boundary.

Decided October 21, 1872, by the Emperor of Germany as Arbitrator. Boundary line decided to be through the Haro channel, as claimed by the United States.

8. Claims of Hudson's Bay and Puget Sound Agricultural Companies.

Decided September 10, 1869. Award \$650,000, to be paid said companies by the United States.

9. Impediments to the recovery of debts due British subjects prior to the Revolution.

Decided January 8, 1802. Award: \$2,664,000 awarded Great Britain and paid by the United States.

10. Rights and duties of neutrals.

Decided during various times from 1798 to 1803; \$11,650,000 awarded American citizens and paid by Great Britain during those years.

11. Indemnity for slaves taken by the British Government during the war of 1812 from private owners.

Decided by the Russian Emperor, as arbitrator, in favor of the United States, on April 22, 1822.

November 13, 1826, \$1,204,960 awarded the United States, and subsequently paid by Great Britain.

August 31, 1828, distributed by the United States among the claimants.

12. London Commission of 1853-1855. Convention between the United States and Great Britain for the



purpose of constituting a mixed commission to arbitrate all claims against either government.

Commission organized on September 15, 1853. Numerous claims were presented and disallowed by this commission during those years. In the cases of "Comet" and "Encomium," Great Britain paid an indemnity of \$116,179.62. The cases of "Hermosa" and "Creole" were also decided in favor of the United States. As counter-claims, Great Britain was awarded \$277,102.88 against the United States.

13. Reserved Fisheries. Commission under reciprocity Treaty of 1854.

Differences arising under the treaty of 1818, by which salmon and shad fisheries and all fisheries in rivers and mouths of rivers were reserved exclusively by each country for its own fishermen.

Commission organized in 1855. March 31, 1866, the Commission made a general report of results. Of the total number of "Places" presented for examination, 167 on the Provincial coast and 54 on the coasts of the United States, a total of 221, 105 were reserved under terms of "rivers and mouths of rivers" from common liberties of fishing, others rejected. The mouth of the St. Lawrence was decided to be at Point de Monts, thus opening over 10,000 square miles of valuable deep sea fisheries to fishermen of the United States.

14. The Geneva Arbitration.

A number of differences having arisen between the United States and Great Britain during the Civil War, a treaty was entered into, signed by representatives of the United States on May 8, 1871, by which a tribunal of five arbitrators, one chosen by the United States, one by Great Britain, and one each by the King of Italy, the President of the Swiss Confederation, and the Emperor of Brazil, should meet at Geneva and arbitrate all differences.

The Commission met on the 15th day of December, 1871. On the 14th day of September, 1872, after an exhaustive investigation into the claims of the United States against Great Britain, for damages arising out of the alleged violation by the latter of the laws of neutrality during the American Civil War, the Commission rendered a decision in favor of the United States in the cases of the "Alabama," the "Florida" and the "Shenandoah," and dismissed the others, awarding the United States as compensation \$15,500,000 in gold, in satisfaction of all claims, and this amount was subsequently paid by Great Britain.

15. Civil War claims, under the treaty between the United States and Great Britain of May 8, 1871. A commission was organized comprising representatives of the United States and Great Britain, and the Italian Ambassador, to consider all claims or counter-claims of the United States and Great Britain for damages growing out of alleged seizure of vessels during the Civil War.

The Commission first met at Washington, September 26, 1871. On September 25, 1873, the Commission awarded Great Britain \$1,929,819 in gold, in full of all claims presented to the Commission, and this amount was paid by the United States.

16. Halifax Commission.

Commission appointed under treaty of May 8, 1871, to settle disputed questions as to the rights of American fishermen on the Banks of New Foundland and the Gulf of St. Lawrence, and damages resulting from their exceeding same.

The Commission met on June 15, 1877. On November 23, 1877, it awarded Great Britain \$5,500,000, to be paid in gold by the United States. On November 21, 1878, this award was paid by the United States to Great Britain.

17. Fur Seal Arbitration.

Upon the cession of Alaska to the United States by Russia, on the 30th of March, 1867, the United States adopted legislation absolutely prohibiting the killing of fur seals in any of the territory or waters in its jurisdiction. During the next several years many foreign vessels were seized for violation of these regulations, and as a result grave complications arose between this country and Great Britain over the question of jurisdiction and damages for vessels unlawfully seized. To adjust these differences a treaty was finally signed on February 29, 1892, by which it was agreed to submit these differences to a tribunal of seven, two appointed by the United States, two by Great Britain, and one each by the President of France, the King of Italy and the King of Sweden. The tribunal met at Paris on February 23, 1893.

After lengthy consideration of all the questions involved, on August 19 a decision was signed which, among other regulations, forbade the killing of fur seals within sixty miles of the Pribilof Islands; provided for a closed season from May 1 to July 31, and forbade the use of nets, fire-arms or explosives.

The questions of seizures of vessels were decided against the United States, and a commission has since been appointed to determine the amount due on this account from the United States to Great Britain.

#### 18. Spanish Spoliations.

During the war between France and Spain, in 1873, Spanish cruisers seized many American vessels. On October 27, 1795, a treaty was signed between the United States and Spain, by Article XXI., in virtue of which a committee, consisting of one person chosen by each government, and a third to be chosen by these two, should arbitrate all differences. The committee met, and after considering the claims, awarded the United States a total sum of \$325,440.07½.

## 19. Case of the "Colonel Lloyd Aspinwall."

This was an American vessel seized by the Spanish government in time of peace, January 21, 1870. A commission was agreed on by the two governments to arbitrate this matter, and on November 15, 1870, the owner of the vessel was awarded \$19,702.50 in gold, to be paid by the Spanish Government.

## 20. Spanish Claims Commission.

In the year 1868 Civil War broke out in Spain, followed by an insurrection in Cuba, during which much property of citizens of the United States was wantonly destroyed or seized by the Spanish Government. An agreement was signed on February 12, 1871, to submit these questions to a mixed commission. The commission met on May 31, 1871, and adjourned December 27, 1882, having rendered total judgments against Spain of \$1,293,450.55, which were paid by Spain in 1877, with five per cent. interest.

## 21. Case of the "Masonic."

On January 12, 1879, this bark (American) was seized by the customs authorities at Manila, P. I., for alleged violation of customs laws, afterward found to be a mistake.

The Governments of Spain and the United States agreed to leave this matter to Baron Blanc, Italian Ambassador at Madrid, as arbitrator, and he, on June 27, 1885, awarded the owner of the *Masonic* \$51,674.07, which was duly paid.

## 22. Case of the brig "General Armstrong."

This brig was attacked by the British at Fayal, in the Azores, September 26, 1814, and no protection was rendered by the Portuguese authorities, although this was a neutral port and in their jurisdiction.

On February 26, 1851, a treaty was executed between the United States and Portugal, by which all claims against Portugal were settled by the payment

of \$91,727, except the one of the "General Armstrong," which was to be settled by arbitration.

On November 30, 1852, Louis Napoleon, chosen as arbitrator, decided the American claim to be without foundation, it appearing that the crew of the "General Armstrong" were the aggressors.

23. French Claims Commission.

Established to inquire into claims of French residents of the United States for losses alleged to have been sustained during the Civil War. The commission met on December 22, 1880. On March 31, 1884, the commission rendered a report, awarding to the French Government \$625,566.35, and awarded to the United States, for claims of citizens for damages in the war between France and Mexico, and the Franco-Prussian war of 1870, 13,659 francs.

24. The Carlos Butterfield Claim.

On December 8, 1888, an agreement was signed by the United States and Denmark to arbitrate the "Claim of Carlos Butterfield and Company" for seizure and detention of the "Ben Franklin" and "Catherine Augusta" at the Island of St. Thomas, in 1854 and 1855.

On January 22, 1890, Sir Edward Munson, having been chosen as arbitrator, found that the United States had no just claim against the Danish Government.

25. The United States and Mexican Claims Commission. Convention of April 11, 1839.

At the close of the Mexican Revolution, in 1821, there was much internal strife and civil war, which lasted a number of years, during which much property belonging to citizens of other countries was destroyed.

On April 11, 1839, Mexico and the United States ratified a treaty to submit the claims of the latter to arbitration of a committee of five, two each to be selected by the United States and Mexico, and the fifth, or umpire, to be appointed by the King of Prussia. On February 25, 1842, the commission closed,

having allowed, as a total of claims heard, \$2,026,139.68.

Mexico had paid several installments of this judgment when the Mexican war broke out, at the conclusion of which, in 1848, in consideration of certain territory ceded to the United States, the latter assumed responsibility for the remaining amount due, as well as all other claims, which were afterwards adjusted by that country.

26. The United States and Mexico Claims Commission. Convention of July 4, 1868.

The treaty of February 2, 1848, at the close of the Mexican War, besides settling all claims prior to that date, provided for the settlement of future claims of arbitration.

In 1862 France declared war against Mexico, and during the strife resulting, and also from the internal dissensions which were continually agitating Mexico, many claims for damages arose against the Mexican Government for destruction or seizure of property.

On July 4, 1868, a convention was concluded between the United States and Mexico, by which all claims arising after February 2, 1848, were to be submitted to a committee of two, one to be chosen by each republic.

The commission first met on July 31, 1869. Of the American claims presented forty-three were allowed and five hundred and thirty-seven were dismissed. Of the Mexican claims, one hundred and sixty-two were allowed and seven hundred and forty-six were dismissed. The United States was awarded a total of \$4,125,622.20 and Mexico \$150,498.41.

27. Panama Riot and other Claims. Convention of September 10, 1857.

On April 15, 1856, a train of American passengers was attacked at Panama by a mob of negroes, and much loss of life and property resulted. The govern-

ment of New Grenada (now Republic of Colombia) acknowledged its liability through failure to preserve order, and on September 10, 1857, an agreement was reached to submit the question to arbitration.

The commission met and on March 11, 1862, reported that on the claims examined they had allowed awards aggregating \$496,235.47.

Many claims remaining unsettled under the old commission, a new one was agreed on in 1864 to complete this work, which met at Washington on August 24, 1865. On May 19, 1866, the board adjourned, having made awards amounting to \$88,367.69.

28. Case of the "Montijo."

On April 6, 1871, this steamer was seized by revolutionists within the jurisdiction of Colombia.

On August 17, 1874, an agreement of arbitration to determine damages was reached, and a commission appointed under it met at Bogota, September 23, 1874.

On July 25, 1875, the claimants were awarded \$33,401, which was duly paid by the Colombian Government.

29. Case of the brig "Macedonian."

In 1819, Captain Eliphalet Smith, an American, having sold the cargo of his brig "Macedonian," while on the road to Guanay, Chile, with a portion of the proceeds, amounting to \$80,000, was seized by a party of soldiers and the money was forcibly taken from him. The remaining proceeds, \$60,000, which had been forwarded to Guanay, were also seized.

In 1821, Captain Smith was again arrested by Chilean soldiers, and some \$70,000, the proceeds of the sale of another cargo of the "Macedonian," was taken.

On November 10, 1858, a convention of arbitration was signed by representatives of the United States and Chile to pass upon this case. May 15, 1863, \$42,400 and interest was awarded claimants.

30. United States and Chilean Claims Commission. Convention of August 7, 1892.

This commission was an agreement to arbitrate claims against Chile arising from seizures of property of citizens of the United States during the war between Chile and Peru, in 1879-82, and the Civil War in Chile in 1890-91.

Commissioners were appointed, and met in Washington, July 25, 1893. On April 9, 1894, the commissioners awarded the United States \$240,564.35, in full of all claims submitted.

31. Claim of the United States and Paraguay Navigation Company. Commission under convention between the United States and Paraguay of February 4, 1859.

This company is alleged to have been interfered with and finally driven out of business by the Paraguayan Government.

On February 4, 1859, both governments agreed to arbitrate this claim, and a commission appointed for that purpose met on June 22, 1860. On July 13, 1860, the commission filed its final award, finding that said company had no just claim against Paraguay.

In 1887 this claim was re-opened and an attempt made to have Paraguay enter into a protocol to pay \$50,000 in gold to release this claim, but after many attempts this finally failed.

32. Claims against Costa Rica.

On July 2, 1860, the United States and Costa Rica concluded a convention, by the terms of which all claims of citizens of the United States for destruction of property should be submitted to a board of two commissioners, one appointed by each government. The commission met on February 8, 1862, and the Italian Minister was appointed as umpire. Thirty-four cases were presented, of which twenty-two were dismissed.



In the remaining cases awards were made aggregating \$25,704.14.

33. Ecuadorian Claims Commission.

By convention of November 25, 1862, between the United States and Ecuador, it was agreed that all claims of citizens of the United States against Ecuador should be submitted to arbitration. A commission for this purpose was constituted on the 22nd of August, 1864. Of the cases submitted, awards were made in nine, the total of which amounted to \$94,799.56, which was eventually paid by Ecuador.

34. The Santos Case.

In the year 1884, one Julian R. Santos, a citizen of the United States, was subjected to arrest and imprisonment by the Ecuadorian Government, as an alleged revolutionist.

On February 28, 1893, an agreement was reached to submit the claim for damages growing out of this arrest and imprisonment to arbitration. On September 22, 1896, an award was made of \$40,000 in gold.

35. Cases of the "Georgiana" and the "Lizzie Thompson."

As a result of internal disorders in Peru, on January 24, 1858, these American schooners were seized, and in spite of protest of the American Minister were condemned and sold by the Peruvian Government.

On December 20, 1862, a convention was agreed upon by which the King of Belgium should arbitrate this claim. He, however, refused to accept this position, but gave an unofficial opinion adverse to the claim of the United States, which that government decided to accept, and accordingly pushed this matter no further.

A similar claim of Henry W. Raborg was submitted to the commission organized under the convention of January 12, 1863, and by them disallowed.

36. Peruvian Claims Commission. Convention

between the United States and Peru, of January 12, 1863.

By this convention a commission of four, two to be selected by each country, was agreed upon to arbitrate all claims of citizens of either government against the other.

On July 17, 1863, the commission met in Lima. After a six months' session, awards were made against the United States in two cases out of the four presented, aggregating about \$25,300. Against Peru, out of nineteen cases submitted, awards were made in eight, aggregating \$67,197.23.

37. Peruvian Claims Commission.

Convention between the United States and Peru of December 4, 1868.

This convention was entered into for the purpose of arbitrating claims against Peru arising, during the years 1863 to 1868, out of internal disorders and the war with Spain.

A commission to arbitrate these claims, consisting of two members, met at Lima, and on February 26, 1870, made a final report. Of twenty-two cases presented, awards were made in fifteen, aggregating \$194,417.62.

38. Claims against Venezuela. Commission under the convention between the United States and Venezuela of April 25, 1866, December 5, 1885, March 15, 1888, and October 4, 1888.

The commission under the convention of April 25, 1866, decided forty-nine claims, making awards in twenty-four, amounting to \$1,253,310.30.

On February 12, 1869, the Venezuelan government filed a protest, alleging fraud, but in 1873 the United States government passed an act declaring that the acts of the commission were "final and conclusive" and "held valid and subsisting against the Republic of Venezuela."

A convention was, however, on December 5, 1885, signed by representatives of the United States to re-open the claims decided by the old commission of 1863. On March 15, 1888, a convention was signed amending the previous one as to claims to be decided. Irregularities appearing in the ratification of these last treaties, still another was entered into under date of October 5, 1888. A commission organized under this last convention, adjourned September 2, 1890, having reconsidered the old claims, allowed the sum of \$912,056.88, in lieu of the amounts previously awarded.

39. Claim of the Venezuela Steam Transportation Company.

During revolutions in Venezuela several steamers belonging to this company were seized and used both by the revolutionists and the governmental forces. To arbitrate the claim of the company, for damages resulting therefrom, a convention was signed January 19, 1892, and a commission appointed thereunder met in Washington December 27, 1894. On March 26, 1895, the commission awarded the United States \$141,800.

40. Case of the whale ship "Canada."

This vessel, having gone aground off the coast of Brazil, on the 27th of November, 1856, was seized by the Brazilian authorities. The question of damages was, by the convention of March 14, 1870, referred to the British Ambassador to the United States, who had been chosen as arbitrator, and he, on July 11, 1870, made an award against Brazil of \$100,740.04.

41. Claim of Pelletier and Lazare.

A protocol was signed between the United States and Hayti, May 24, 1884, to arbitrate the claims of Pelletier for damages caused by his arrest and imprisonment by the Haytien government as an alleged slave-trader, and also the case of A. H. Lazare, whose contract to carry on a banking business had been wrongfully declared null and void.

William Strong, late of the United States Supreme Court, was appointed sole arbitrator, and, after hearing both cases, he rendered awards on June 13, 1885, in the Pelletier case of \$57,250, and in the Lazare case of \$117,500, against the Haytien government.

42. Case of Charles Adrian Van Bokkelen.

This man was claimed to have been wrongfully imprisoned for debt by the Haytien government. On May 24, 1888, an agreement was signed between that country and the United States to arbitrate his claim for damages. Mr. Alexander Peter Morse was chosen arbitrator, and on December 4, 1888, he awarded the claimant \$60,000.

43. Minor and pending cases.

1. The Saratoga claims against Salvador, February 21, 1865; Savage awarded \$4,497.50.

2. Ashmore Fishery, against China, May 24, 1882. Plaintiff was awarded \$4,600.99.

3. Riots at Port au Prince, Hayti, in 1883. Total awards in claims for destruction of property amounted to \$14,700.

4. Check claim. Arbitration agreement between the United States and Siam, in 1897.

5. Kellett case. Claim against China. Decided favorably to the United States on September 20, 1897.

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### Further Progress of Arbitration.

The cause of international peace has maintained and strengthened itself during the past few years on the political side no less remarkably than on the idealistic and sentimental. There are now pending before commissions or boards of arbitration more than

a dozen controversies between nations, several of which have been referred the past year. The more important of these are the following:

The United States and Salvador, over the claims of the Salvadorian Commercial Company.

Great Britain and Brazil, over the British Guiana boundary.

Chili and the Argentine Republic, over their boundary.

Italy and Peru, over the interpretation of Article 10 in the Commercial Treaty between them.

Great Britain and Germany, over the "Hinterland" of Togoland.

Great Britain and France, over the Sergeant Malamine and Waima affairs.

Great Britain and France, over the Ivory and Gold coasts.

Bolivia and Peru, all pending questions.

France and Chili, over the guano dispute.

Great Britain and Turkey, over the Aden "Hinterland."

Great Britain and Italy, over the Soudan Erythrean Frontier.

The United States and Great Britain and Germany, over the claims for damages arising during the Samoan troubles.

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### Obligatory Arbitration.

In the original Russian proposal to the International Peace Conference at The Hague regarding International Arbitration, Article 10 read as follows:

"From and after the ratification of the present treaty by all the Signatory Powers, arbitration shall be obligatory in the following cases, so far as they do

not affect vital interests in the national honor of the contracting states:

"I. In the case of differences or conflicts regarding pecuniary damages suffered by a state or its citizens, in consequence of illegal or negligent action on the part of any state or the citizens of the latter.

"II. In the case of disagreements or conflicts regarding the interpretation or application of treaties or conventions upon the following subjects:

"(1) Treaties concerning postal and telegraphic service and railways, as well as those having for their object the protection of submarine telegraphic cables; rules concerning the means of preventing collisions on the high seas; conventions concerning the navigation of international rivers and inter-oceanic canals.

"(2) Conventions concerning the protection of literary and artistic property, as well as industrial, and proprietary rights (patents, trade-marks, and commercial names); conventions regarding monetary affairs and veterinary precautions and measures against the Phylloxera.

"(3) Conventions regarding inheritances, extradition, and mutual judicial assistance.

"(4) Boundary conventions or treaties, so far as they concern purely technical, and not political, questions."

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**Project of a Permanent Treaty of Arbitration Between  
the United States and Switzerland, Adopted by  
the Swiss Federal Council, July 24, 1883.**

I. The contracting parties agree to submit to an arbitral tribunal all difficulties which may arise between them during the existence of the present treaty, whatever may be the cause, the nature or the object of such difficulties.

2. The arbitral tribunal shall be composed of three persons. Each party shall designate one of the arbitrators. It shall choose him from among those who are neither citizens of the state nor inhabitants of its territory. The two arbitrators thus chosen shall themselves choose a third arbitrator; but if they should be unable to agree, the third arbitrator shall be named by a neutral government. This government shall be designated by the two arbitrators, or, if they cannot agree, by lot.

3. The arbitral tribunal, when called together by the third arbitrator, shall draw up a form of agreement which shall determine the object of the litigation, the composition of the tribunal and the duration of its powers. The agreement shall be signed by the representatives of the parties and by the arbitrators.

4. The arbitrators shall determine their own procedure. In order to secure a just result, they shall make use of all the means which they may deem necessary, the contracting parties engaging to place them at their disposal. Their judgment shall become executory one month after its communication.

5. The contracting parties bind themselves to observe and loyally to carry out the arbitral sentence.

6. The present treaty shall remain in force for a period of thirty years after the exchange of ratifications. If notice of its abrogation is not given before the beginning of the thirtieth year, it shall remain in force for another period of thirty years, and so on.

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#### **Permanent Arbitration Treaty Between the United States and Great Britain.**

The Senate of the United States on February 14th, 1890, and the House of Representatives, on April 3,

1890, adopted the following concurrent resolution :

"Resolved by the Senate (the House of Representatives concurring.), That the President be and is hereby requested to invite, from time to time, as fit occasion may arise, negotiations with any government with which the United States has or may have diplomatic relations, to the end that any differences or disputes arising between the two governments which cannot be adjusted by diplomatic agency may be referred to arbitration, and be peaceably adjusted by such means."

The British House of Commons, on July 16, 1893, adopted the following resolution :

"Resolved, That this house has learned with satisfaction that both Houses of the United States Congress have, by resolution, requested the President to invite from time to time, as fit occasion may arise, negotiations with any government with which the United States have or may have diplomatic relations, to the end that any differences or disputes arising between the two governments which cannot be adjusted by diplomatic agency, may be referred to arbitration and peaceably adjusted by such means; and that this House, cordially sympathizing with the purpose in view, expresses the hope that Her Majesty's Government will lend their ready co-operation to the Government of the United States upon the basis of the foregoing resolution."

As the result of these expressions of opinion, communications were exchanged between the two governments in regard to the conclusion of a permanent treaty of arbitration, the negotiations being at first conducted by Mr. Gresham, Secretary of State of the United States, and Sir Julian Pauncefote, British Ambassador at Washington. From the spring of 1895 till March, 1896, however, the consideration of the subject was suspended; but on the 5th of that month Lord Salisbury, referring to the prior negotiations, ad-



dressed to Sir Julian Pauncefote an instruction in which the discussion was renewed. The correspondence which then ensued resulted in the conclusion, on January 11th, 1897, of a treaty, the first section of which is as follows:

"The United States of America and Her Majesty, the Queen of the United Kingdom of Great Britain and Ireland, being desirous of consolidating the relations of amity which so happily exist between them and of consecrating by treaty the principle of International Arbitration, have appointed for that purpose as their respective Plenipotentiaries:

The President of the United States of America, the Honorable Richard Olney, Secretary of State of the United States; and

Her Majesty, the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Sir Julian Pauncefote, a Member of Her Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath and of the Most Distinguished Order of St. Michael and St. George and Her Majesty's Ambassador Extraordinary and Plenipotentiary to the United States.

Who, after having communicated to each other their respective Full Powers, which were found to be in due and proper form, agreed to and concluded a Treaty providing for the submission to arbitration, in accordance with the provisions and subject to the limitations of said Treaty, all questions in difference between them which they might fail to adjust by diplomatic negotiation.

With reference to this treaty President McKinley, in his inaugural address, said:

"We want no wars of conquest; we must avoid the temptation of territorial aggression. War should never be entered upon until every agency of peace has failed; peace is preferable to war in almost every con-

tingency. Arbitration is the true method of settlement of international as well as local or individual differences. It was recognized as the best means of adjustment of differences between employers and employees by the XLIX Congress in 1886, and its application was extended to our diplomatic relations by the unanimous concurrence of the Senate and House of the LI Congress in 1890. The latter resolution was accepted as the basis of negotiations with us by the British House of Commons in 1893, and upon our invitation a treaty of arbitration between the United States and Great Britain was signed at Washington and transmitted to the Senate for ratification in January last.

"Since this treaty is clearly the result of our own initiative, since it has been recognized as the leading feature of our foreign policy throughout the entire national history—the adjustment of difficulties by judicial methods rather than force of arms—and since it presents to the world the glorious example of reason and peace, not passion and war, controlling the relations between two of the greatest nations of the world, an example certain to be followed by others, I respectfully urge the early action of the Senate thereon, not merely as a matter of policy, but as a duty to mankind. The importance and moral influence of the ratification of such a treaty can hardly be over-estimated in the cause of advancing civilization. It may well engage the best thought of the statesmen and people of every country, and I cannot but consider it fortunate that it was reserved to the United States to have the leadership in so grand a work."

The Senate of the United States, in the exercise of its constitutional functions, declined to give, by the necessary concurrence of two-thirds of the Senators present, its advice and consent to the exchange of the ratifications of the foregoing treaty. It is understood, however, that the subject of a permanent treaty of

arbitration between the two nations is still under consideration, and in the near future a treaty may be consummated on the lines of the treaty which failed of ratification. The negotiations concerning the treaty for arbitration between the United States and Great Britain were watched with deep interest and solicitude by the people of both nations. Public sentiment of both nations doubtless favored the treaty, and the discussions concerning its provisions greatly advanced the sentiments for peace in both countries, so that the labors of The Hague Conference in arranging an International Court of Arbitration found ready support among all English-speaking people. Although the proposed treaty of arbitration between the United States and Great Britain failed, its principles prevailed and without doubt will govern all future diplomatic relations of the two countries. The technical defeat of the treaty resulted in a virtual victory for its object and greatly aided the cause of peace among civilized nations.

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### **Compulsory Arbitration.**

Treaty on Compulsory Arbitration, signed by the delegations of the Argentine Republic, Bolivia, the Dominican Republic, Salvador, Guatemala, Mexico, Paraguay, Peru, Uruguay, and Venezuela, to the Second International Conference of American States, at the City of Mexico, January 14, 1902:

Article I. The High Contracting Parties obligate themselves to submit to the decision of arbitrators all controversies that exist, or may arise, among them which diplomacy cannot settle, provided that in the exclusive judgment of any of the interested nations said controversies do not affect either the independence or the national honor.

Article II. Independence or national honor shall not be considered as involved in controversies with regard to diplomatic privileges, boundaries, rights of navigation, and validity, construction and enforcement of treaties.

Article III. By virtue of the power established in Article XXVI of the convention for the peaceful adjustment of international differences signed at The Hague on July 29th, 1899, the High Contracting Parties agree to submit to the decision of the Permanent Court of Arbitration, created by such Convention, all the controversies referred to in the present Treaty, unless either of the parties prefers the establishment of a special tribunal.

In the event that the High Contracting Parties should submit to the jurisdiction of the Permanent Court of The Hague, they accept the precepts of said convention, both with respect to the organization of the tribunal and as to its procedure.

Article IV. Whenever a special tribunal shall be organized on any account, whether it is so desired by any of the parties, or because the Permanent Court of Arbitration of The Hague should not be opened to them, the procedure to be followed shall be established at the time the arbitration agreement is signed. The court shall determine the date and place of its sessions and the language to be used, and shall, in every case, be invested with the authority to decide all questions relating to its own jurisdiction and even those referring to the procedure of points not considered in the arbitration agreement.

Article V. If upon organizing a special tribunal the High Contracting Parties should not agree upon the designation of the arbitrator, the Tribunal shall consist of three judges. Each state shall appoint an arbitrator, who will designate an umpire. Should the arbitrators fail to agree on this appointee, it shall be

made by the government of a third state, to be designated by the arbitrators appointed by the parties. If no agreement is reached with regard to this last appointment, each of the parties should name a different power and the election of the third arbitrator shall be made by the two powers so designated.

Article VI. The High Contracting Parties hereby stipulate that in case of a serious disagreement or conflict between two or more of them, which may render war imminent, they will have recourse, as far as circumstances allow, to the good offices or the mediation of one or more friendly powers.

Article VII. Independently of this recourse, the High Contracting Parties consider it useful that one or more powers, strangers to the dispute, should, on their own initiative, as far as circumstances will allow, offer their good offices or mediation to the states at variance:

The right to offer the good offices or mediation belongs to powers who are strangers to the conflict, even during the course of hostilities.

The exercise of this right shall never be regarded by either of the contending parties as an unfriendly act.

Article VIII. The part of the mediator consists in reconciling the opposing claims and appeasing the feelings of resentment which may have arisen between the states at variance.

Article IX. The functions of the mediator are at an end when once it is declared, either by one of the parties to the dispute, or by the mediator himself, that the methods of conciliation proposed by him are not accepted.

Article X. Good offices and mediation, whether at the request of the parties at variance or upon the initiative of powers, who are strangers to the dispute, have exclusively the character of advice, and never have binding force.

Article XI. The acceptance of mediation can not, unless there be an agreement to the contrary, have the effect of interrupting, delaying or hindering mobilization, or other measures of preparation for war. If mediation occurs after the commencement of hostilities, it causes no interruption to the military operations in progress, unless there be an agreement to the contrary.

Article XII. In case of a serious difference endangering peace, and whenever the interested powers cannot agree in electing or accepting as mediator a friendly power, it is to be recommended to the states in dispute the election of a power to whom they shall respectively entrust the mission of entering into direct negotiation with the powers elected by the other interested party, with the object of preventing the rupture of pacific relation.

For the period of this mandate, the term of which, unless otherwise stipulated, cannot exceed thirty days, the contending powers shall cease all direct communication on the subject of the dispute, which is regarded as referred exclusively to the mediating powers.

If these friendly powers do not succeed in agreeing on a solution that would be acceptable to those in conflict, they shall designate a third that is to act as mediator. This third power, in case of a definite rupture of pacific relations, shall at all times be charged with the task of taking advantage of any opportunity to restore peace.

Article XIII. In controversies of an international nature arising from a difference of opinion on points of fact, the signatory powers consider it useful that the parties who have not been able to come to an agreement by means of diplomacy, should, so far as circumstances allow, institute an International Commission of Inquiry to facilitate a solution of those differences,

elucidating the facts by means of an impartial and conscientious investigation.

Article XIV. The International Commissions of Inquiry are constituted by special agreement. The agreement defines the facts to be examined, and the extent of the commissioner's powers, and settles the procedure to which they must limit themselves. On the inquiry both sides shall be heard, and the form and periods to be observed, if not stipulated by the agreement, shall be determined by the commission itself.

Article XV. The International Commissions of Inquiry are constituted, unless otherwise stipulated, in the same manner as the Tribunal of Arbitration.

Article XVI. The powers in dispute engage to supply the International Commissions of Inquiry, as fully as they may deem possible, with all means and facilities necessary to enable them to be completely acquainted with and to accurately understand the facts in question.

Article XVII. The above mentioned Commissions shall limit themselves to ascertain the truth of the facts alleged, without entering into any other appreciations than those merely technical.

Article XVIII. The International Commission of Inquiry shall present its report to the powers which have constituted it, signed by all its members. This report, limited to the investigation of facts, has in no manner the character of an arbitral award, and it leaves the contending parties at liberty to give it the value they may deem proper.

Article XIX. The constitution of Commissions of Inquiry may be included in the Arbitration Bonds, as a previous proceeding, to the end of determining the facts which are to be the subject of the inquiry.

Article XX. The present treaty does not abrogate any previous existing ones, between two or more of the contracting parties, in so far as they give greater

extension to compulsory arbitration. Neither does it alter the stipulations regarding arbitration, relating to specific questions which have already arisen, nor the course of arbitration proceedings which may be pending by reason of the same.

Article XXI. Without the necessity of exchanging ratifications, this treaty shall take effect so soon as three states, at least, of those signing it, express their approval to the government of the United States of Mexico, which shall communicate it to the other governments.

Article XXII. The nations which do not sign the present treaty may adhere to it at any time. If any of the signatory nations should desire to free itself from its obligations, it shall denounce the treaty; but such denouncement shall not produce any effect except with respect to the nation which may denounce it, and only one year after the notification of the same has been made.

Whenever the denouncing nation shall have any arbitration negotiations pending at the expiration of the year, the denouncement shall not have any effect with reference to the case not yet decided.

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### General Provisions.

- I. This treaty shall be ratified as soon as possible.
- II. The ratifications shall be forwarded to the Department of Foreign Relations of Mexico, where they shall be deposited.
- III. The Mexican Government shall send a certified copy of each of them to the other contracting governments.

In virtue whereof they have signed the present treaty and have attached their respective seals thereto.



Made in the City of Mexico, on the twenty-ninth day of January, one thousand nine hundred and two, in one single copy, which shall be deposited in the Department for Foreign Relations of the United Mexican States, a certified copy of which shall be sent, through diplomatic channels, to each of the contracting governments.

For the Argentine Republic (L. S.), Antonio Bermejo; (L. S.), Lorenzo Anadon. For Bolivia (L. S.), Fernando E. Guachalla. For the Dominican Republic (L. S.), Frederico Henriquez i Carvajal. For Guatemala (L. S.), Francisco Orla. For Salvador (L. S.), Francisco A. Reyes; (L. S.), Baltasar Estupinian. For Mexico (L. S.), G. Raigosa; (L. S.), Joaquin D. Casasus; (L. S.), Pablo Macedo; (L. S.), E. Pardo, Jr.; (L. S.), Alfredo Chavero; (L. S.), Jose Lopez-Portillo y Rojas; (L. S.), F. L. de la Barra; (L. S.), Rosendo Pineda; (L. S.), H. Sanchez Marmol. For Paraguay (L. S.), Cecilio Baez. For Peru (L. S.), Manuel Alvarez Calderon; (L. S.), Alberto Elmore. For Uruguay (L. S.), Juan Guestas.

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### Peace Treaties of the United States.

The United States has concluded treaties which contain peace clauses with the following governments:

France—Signed February 6, 1778.

Netherlands—Signed October 8, 1782.

Great Britain—Signed November 30, 1782.

Great Britain—Signed September 3, 1783.

Morocco—Signed January, 1787.

Algiers—Signed September 5, 1795.

Tripoli—Signed November 4, 1796.

Prussia—Signed July 11, 1799.

France—Signed September 30, 1800.

Tripoli—Signed June 4, 1805.  
Great Britain—Signed December 24, 1814.  
Algiers—Signed June 30, 1815.  
Sweden and Norway—Signed September 4, 1816.  
Algiers—Signed December 22-23, 1816.  
Central America—Signed December 5, 1825.  
Mexico—Signed April 5, 1825.  
Chile—Signed May 16, 1832.  
Siam—Signed March 20, 1833.  
Muscat—Signed September 21, 1833.  
Venezuela—Signed January 20, 1836.  
Morocco—Signed September 16, 1836.  
Peru-Bolivia—Signed November 30, 1836.  
Ecuador—Signed June 13, 1839.  
China—Signed July 3, 1844.  
Colombia (New Granada)—Signed Dec. 12, 1846.  
Mexico—Signed February 2, 1848.  
Guatemala—Signed March 3, 1849.  
Borneo—Signed June 23, 1850.  
Switzerland—Signed November 25, 1850.  
Japan—Signed March 31, 1854.  
Two Sicilies—Signed October 1, 1855.  
Siam—Signed May 29, 1856.  
Persia—Signed December 13, 1856.  
Bolivia—Signed May 13, 1858.  
China—Signed June 18, 1858.  
Haiti—Signed November 3, 1864.  
Dominican Republic—Signed February 8, 1867.  
Nicaragua—Signed June 21, 1867.  
Korea—Signed May 22, 1882.  
Tonga—Signed October 2, 1886.  
Kongo—Signed January 24, 1891.  
Spain—Signed December 10, 1898.

On the Western continent the use of the peace or compulsory clause has been extensive. In addition to the above list, by way of example, the following treaties are cited:

1. The treaty of April 26, 1823, between Chile and Peru, states as follows: "Although it has been endeavored to express the articles of this treaty in clear and precise terms, nevertheless if, contrary to what may be expected, any doubt shall arise, the contracting parties shall proceed to decide it amicably, and, as a last resort, shall submit to the decision of the arbitrator mentioned."

2. The treaty of September 22, 1829, between Colombia and Peru, stipulates: "That in case of doubt over the proper interpretation of any of the articles of the treaty, both contracting parties shall submit to the decision of a friendly government."

3. The treaty of November 8, 1831, between Bolivia and Peru, applies the compulsory clause, not to the interpretation, but to the observance of the compact. The treaty says: "If either of the contracting parties should violate one or some of the stipulations, they shall apply to the power which guarantees them, so that it may declare which one of them has suffered the injury."

4. The treaty of April 9, 1857, between New Grenada and Portugal, also contains a compulsory clause with reference to the violations or infractions of any one, or some, of the articles stipulated, which shall be submitted to arbitral decision.

Analogous stipulations, relative to the misunderstandings regarding the interpretation of the clauses, as well as the disputes over the compliance with obligations, are to be found:

5. In the treaty of March 8, 1858, between New Grenada and Peru.

6. In the treaty of August 6, 1874, between Chile and Bolivia.

7. In the treaty of April 8, 1876, between Italy and Uruguay.

8. In the treaty of May 8, 1876, between Salvador and Guatemala.

9. In the treaty of July 9, 1885, between Mexico and Sweden and Norway.

10. In the treaty of September 12, 1885, between Guatemala, Salvador and Honduras.

11. In the treaty of May 22, 1888, between Ecuador and Spain.

12. In the treaty of July 10, 1888, between Mexico and Ecuador.

13. In the treaty of November 27, 1888, between Mexico and Great Britain.

14. In the treaty of April 28, 1894, between Colombia and Spain.

15. In the treaty of April 28, 1904, between Ecuador and Colombia.

16. In the treaty of February 17, 1872, between the Central American Republics.

17. In the treaty of June 18, 1898, between Peru and Spain.

This treaty, the same as the former ones, contains the compulsory clause in a general way; that is, that according to it, difficulties originated, or which may originate from existing treaties, and even from those which may be concluded in future, shall be submitted to arbitration.

In the European practice the compulsory clause refers principally to the execution or interpretation of treaties or conventions which have no political character, and, above all, to the treaties known by the name of universal unions. It was observed for this reason, in the conference of The Hague, that the first attempt to introduce compulsory arbitration into international practice was made precisely in a treaty of a universal character, to-wit: the one relating to the Postal Union of 1874.

**Treaties Without Any Special Exceptions as to  
National Honor.**

The treaty of 1829, between Colombia and Peru.

The treaty of 1832 between Ecuador and Peru.

The treaty of 1842 between Venezuela and New Granada.

The treaty of 1845 between Guatemala and Honduras.

The treaty of 1848 between the United States of America and the United States of Mexico.

The treaty of 1850 between Costa Rica and Honduras.

The treaty of 1855 between Salvador and Colombia.

The treaty of 1856 between New Granada and Ecuador.

The treaty of 1858 between New Grenada and Peru.

The treaty of 1858 between the Argentine Republic and Bolivia.

The treaty of 1860 between Ecuador and Peru.

The treaty of 1861 between Nicaragua and Costa Rica.

The treaty of 1862 between Guatemala and Nicaragua.

The treaty of 1863 between Bolivia and Peru.

The treaty of 1865 between Costa Rica and Colombia.

The treaty of 1867 between Bolivia, Chile and Ecuador.

The treaty of 1868 between Costa Rica and Nicaragua.

The treaty of 1870 between Colombia and Peru.

The treaty of 1872 between Guatemala, Honduras, Salvador and Costa Rica.

The treaty of 1874 between the Argentine Republic and Peru.

The treaty of 1876 between the Argentine Republic and Paraguay.

The treaty of 1876 between Bolivia and Peru.

The treaty of 1882 between Salvador and Santo Domingo.

The treaty of 1883 between Uruguay and Salvador.

The treaty of 1883 between Uruguay and Paraguay.

The treaty of 1883 between Salvador and Venezuela.

The treaty of 1884 between Costa Rica and Nicaragua.

The treaty of 1885 between Guatemala, San Salvador and Honduras.

The The treaty of 1887 between the five republics of Central America.

The official protocolized conference subscribed in 1887 by the Argentine Republic, Bolivia, Colombia, Ecuador, Peru, Salvador, Santo Domingo and Venezuela.

The treaty of 1888 between Mexico and Ecuador.

The treaty of 1890 between Ecuador and Costa Rica.

The treaty of 1890 between Guatemala and Salvador.

The treaty of 1896 between Bolivia and Brazil.

The treaty of 1896 between Colombia and Venezuela.

The treaty of 1898 between Italy and the Argentine Republic.

The treaty of 1881 between the Argentine Republic and Chile.

The treaty of 1890 between Peru and Bolivia.

The treaty of 1890 between Salvador and Colombia.

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### Spanish-American Arbitration Treaties.

As a result of the Pan-American Conference, another important step in the steady extension of the

system of arbitration has been taken. The Spanish government has instructed its Minister to Mexico to negotiate treaties of arbitration with all the Spanish-speaking republics. Nine of these treaties have already been signed and four others are soon to be. The treaties provide for special tribunals in the first instance, but, failing these, reference shall be made to The Hague Court.

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### **ARBITRATION ARTICLES OF THE AMERICAN REPUBLICS.**

Considering it their duty to declare their assent to the high principles which tradition has authorized, public reason supports, and the whole of mankind proclaims, in protection of the weak states, in honor of the strong, and to the benefit of all, they solemnly recommended all the governments by which they were accredited to celebrate a uniform treaty of arbitration in the articles following, namely:

#### **ARTICLE I.**

The Republics of North, Central and South America hereby adopt arbitration as a principle of American international law for the settlement of all differences, disputes, or controversies that may arise between them.

#### **ARTICLE II.**

Arbitration shall be obligatory in all controversies concerning diplomatic rights and privileges, boundaries, territories, indemnities, the right of navigation, and the validity, construction and enforcement of treaties.

## ARTICLE III.

Arbitration shall be equally obligatory in all cases other than those mentioned in the foregoing article, whatever may be their origin, nature or occasion; with the single exception mentioned in the next following article.

## ARTICLE IV.

Such exception shall be, when, in the judgment of any nation involved in the controversy, its independence might be endangered by the result of arbitration; for such nation arbitration shall be optional, but it shall be obligatory upon the adversary power.

## ARTICLE V.

All controversies or differences, with the exception stated in Article IV., whether pending or thereafter arising, shall be submitted to arbitration, even though they may have originated in occurrences antedating the present treaty.

## ARTICLE VI.

No question shall be revived by virtue of this treaty, concerning which a definite agreement shall be resorted to only for the settlement of question concerning the validity, interpretation, or enforcement of such agreements.

## ARTICLE VII.

Any government may serve in the capacity of arbitrator which maintains friendly relations with the nation opposed to the one selecting it. The office of arbitrator may also be intrusted to tribunals of justice,



to scientific bodies, to public officials, or to private individuals, whether citizens or not of the states selecting them.

#### ARTICLE VIII.

The court of arbitration may consist of one or more persons. If of one person, the arbitrator shall be selected jointly by the nations concerned. If of several persons, their selection may be jointly made by the nations concerned. Should no choice be made, each nation claiming a distinct interest in the question at issue shall have the right to appoint one arbitrator on its own behalf.

#### ARTICLE IX.

Whenever the court shall consist of an even number of arbitrators, the nations concerned shall appoint an umpire, who shall decide all questions upon which the arbitrators may disagree. If the nations interested fail to agree in the selections of an umpire, such umpire shall be selected by the arbitrators already appointed.

#### ARTICLE X.

The appointment of an umpire, and his acceptance, shall take place before the arbitrators enter upon the hearing of the questions in dispute.

#### ARTICLE XI.

The umpire shall not act as a member of the court, but his duties and powers shall be limited to the decision of questions upon which the arbitrators shall be unable to agree.

#### ARTICLE XII.

Should an arbitrator or an umpire be prevented

from serving by reason of death, resignation, or other cause, such arbitrator or umpire shall be replaced by a substitute, to be selected in the same manner in which the original arbitrator or umpire shall have been chosen.

#### ARTICLE XIII.

The court shall hold its sessions at such place as the parties in interest may agree upon, and in case of disagreement or failure to name a place the court itself may determine the location.

#### ARTICLE XIV.

When the court shall consist of several arbitrators, a majority of the whole number may act, notwithstanding the absence or withdrawal of the minority. In such case the majority shall continue in the performance of their duties until they shall have reached a final determination of the questions submitted for their consideration.

#### ARTICLE XV.

The decision of a majority of the whole number of arbitrators shall be final both on the main and incidental issues, unless in the agreement to arbitrate it shall have been expressly provided that unanimity is essential.

#### ARTICLE XVI.

The general expenses of arbitration proceedings shall be paid in equal proportions by the governments that are parties thereto; but expenses incurred by either party in the preparation and prosecution of its case shall be defrayed by it individually.

## ARTICLE XVII.

Whenever disputes arise the nations involved shall appoint courts of arbitration in accordance with the provisions of the preceding articles. Only by the mutual and free consent of all of such nations may these provisions be disregarded, and courts of arbitration appointed under different arrangements.

## ARTICLE XVIII.

This treaty shall remain in force for twenty years from the date of the exchange of ratifications. After the expiration of that period it shall continue in operation until one of the contracting parties shall have notified all the others of its desire to terminate it. In the event of such notice the treaty shall continue obligatory upon the party giving it for at least one year thereafter, but the withdrawal of one or more nations shall not invalidate the treaty with respect to the other nations concerned.

## ARTICLE XIX.

This treaty shall be ratified by all the nations approving it, according to their respective constitutional methods; and the ratifications shall be exchanged in the city of Washington on or before the first day of May, A. D. 189... Any other nation may accept this treaty and become a party thereto by signing a copy thereof and depositing the same with the government of the United States; whereupon the said government shall communicate this fact to the other contracting parties.

**ARTICLES OF THE HAGUE CONFERENCE.**

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**Title I. On the Maintenance of General Peace.****ARTICLE I.**

With a view to obviating, as far as possible, recourse to force in the relations between states, the signatory powers agree to use their best efforts to insure the pacific settlement of international differences.

**Title II. On Good Offices and Mediation.****ARTICLE II.**

In case of serious disagreement or conflict, before an appeal to arms, the signatory powers agree to have recourse, as far as circumstances allow, to the good offices or mediation of one or more friendly powers.

**ARTICLE III.**

Independently of this recourse, the signatory powers consider it useful that one or more powers, strangers to the dispute, should, on their own initiative, and as far as circumstances will allow, offer their good offices or mediation to the state at variance.

The right to offer good offices or mediation belongs to powers who are strangers to the dispute, even during the course of hostilities.

The exercise of this right shall never be regarded by one or the other of the parties to the contest as an unfriendly act.

## ARTICLE IV.

The part of the mediator consists in reconciling the opposing claims and in appeasing the feelings of resentment which may have arisen between the states at variance.

## ARTICLE V.

The functions of the mediator are at an end when once it is declared, either by one of the parties to the dispute, or by the mediating power itself, that the methods of conciliation proposed by it are not accepted.

## ARTICLE VI.

Good offices and mediation, whether at the request of the parties at variance, or upon the initiative of powers who are strangers to the dispute, have exclusively the character of advice, and never have binding force.

## ARTICLE VII.

The acceptance of mediation cannot, unless there be an agreement to the contrary, have the effect of interrupting, delaying, or hindering mobilization or other measures of preparation for war.

If mediation occurs after the commencement of hostilities, it causes no interruption to the military operations in progress, unless there be an agreement to the contrary.

## ARTICLE VIII.

The signatory powers are agreed in recommending the application, when circumstances allow, of special mediation in the following form:

In case of a serious difference endangering the

peace, the states at variance shall each choose a power, to whom they intrust the mission of entering into direct communication with the power chosen on the other side, with the object of preventing the rupture of pacific relations.

During the period of this date, the term of which, unless otherwise stipulated, cannot exceed thirty days, the states in conflict shall cease from all direct communication on the subject of the dispute, which is regarded as having been referred exclusively to the mediating powers, who shall use their best efforts to settle the controversy.

In case of a definite rupture of pacific relations, these powers remain charged with the joint duty of taking advantage of every opportunity to restore peace.

**Title III. On International Commissions of Inquiry.**

#### ARTICLE IX.

In differences of an international nature, involving neither honor nor vital interests, and arising from a difference of opinion on matter of fact, the signatory powers recommend that parties who have not been able to come to an agreement by diplomatic methods should, as far as circumstances allow, institute an International Commission of Inquiry, to facilitate a solution of the differences by elucidating the facts, by means of an impartial and conscientious investigation.

#### ARTICLE X.

International Commissions of Inquiry shall be constituted by a special agreement between the parties to the controversy. The agreement for the inquiry shall specify the facts to be examined and the extent of the powers of the commissioners. It shall find the proced-

ure. Upon the inquiry both sides shall be heard. The procedure to be observed, if not provided for in the Convention of Inquiry, shall be fixed by the Commission.

#### ARTICLE XI.

The International Commissions of Inquiry shall be formed, unless otherwise stipulated, in the manner fixed by Article XXXII of the present convention.

#### ARTICLE XII.

The powers in dispute agree to supply the International Commission of Inquiry, as fully as they may consider it possible, with all means and facilities necessary to enable it to arrive at a complete acquaintance and correct understanding of the facts in question.

#### ARTICLE XIII.

The International Commission of Inquiry shall present to the parties in dispute its report signed by all the members of the Commission.

#### ARTICLE XIV.

The report of the International Commission of Inquiry shall be limited to a statement of the facts, and shall in no way have the character of an arbitral award. It leaves the powers in controversy freedom as to the effect to be given to such a statement.

**Title IV. On International Arbitration.**

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**Chapter I. On Arbitral Justice.****ARTICLE XV.**

International arbitration has for its object the determination of controversies between states by judges of their own choice, upon the basis of respect for law.

**ARTICLE XVI.**

In questions of a judicial character, and especially in questions regarding the interpretation or application of international treaties or conventions, arbitration is recognized by the signatory powers as the most efficacious and at the same time the most equitable method of deciding controversies which have not been settled by diplomatic methods.

**ARTICLE XVII.**

An agreement of arbitration may be made with reference to disputes already existing or those which may hereafter arise. It may relate to every kind of controversy or solely to controversies of a particular character.

**ARTICLE XVIII.**

The agreement of arbitration implies the obligation to submit in good faith to the decision of the arbitral tribunal.

**ARTICLE XIX.**

Independently of existing general or special treaties



imposing the obligation to have recourse to arbitration on the part of any of the signatory powers, these powers reserve to themselves the right to conclude, either before the ratification of the present convention, or subsequent to that date, new agreements, general or special, with a view of extending the obligation to submit controversies to arbitration, to all cases which they consider suitable for such submission.

Chapter II. On the Permanent Court of Arbitration.

#### ARTICLE XX.

With the object of facilitating an immediate recourse to arbitration for international differences which could not be settled by diplomatic methods, the signatory powers undertake to organize a permanent Court of Arbitration accessible at all times, and acting, unless otherwise stipulated by the parties, in accordance with the rules of procedure included in the present convention.

#### ARTICLE XXI.

The permanent court shall have jurisdiction of all cases of arbitration, unless there shall be an agreement between the parties for the establishment of a special tribunal.

#### ARTICLE XXII.

An International Bureau shall be established at The Hague, and shall serve as the record office for the Court. This Bureau shall be the medium of all communications relating to the Court. It shall have the custody of the archives and shall conduct all the administrative business. The signatory powers agree to furnish the Bureau at The Hague with a certified copy of every agreement of arbitration arrived at

between them, and of any award therein rendered by a special tribunal. They also undertake to furnish the Bureau with the laws, rules, and documents, eventually declaring the execution of the judgments rendered by the Court.

#### ARTICLE XXIII.

Within three months following the ratification of the present act, each signatory power shall select not more than four persons, of recognized competence in questions of international law, enjoying the highest moral reputation, and disposed to accept the duties of arbitrators. The persons thus selected shall be enrolled as members of the Court upon a list which shall be communicated by the Bureau to all the signatory powers. Any alteration in the list of arbitrators shall be brought to the knowledge of the signatory powers by the Bureau. Two or more powers may unite in the selection of one or more members of the Court. The same person may be selected by different powers. The members of the Court shall be appointed for a term of six years, and their appointment may be renewed. In case of the death or resignation of a member of the Court, his place shall be filled in accordance with the method of his appointment.

#### ARTICLE XXIV.

Whenever the signatory powers wish to have recourse to the permanent Court for the settlement of a difference that has arisen between them, the arbitrators selected to constitute the tribunal which shall have jurisdiction to determine such difference, shall be chosen from the general list of members of the Court. If such arbitral tribunal be not constituted by the special agreement of the parties, it shall be formed in

the following manner: Each party shall name two arbitrators, and these together shall choose an umpire. If the votes shall be equal, the choice of the umpire shall be intrusted to a third power selected by the parties by common accord. If an agreement is not arrived at on this subject, each party shall select a different power, and the choice of the umpire shall be made by the united action of the powers thus selected. The tribunal being thus constituted, the parties shall communicate to the Bureau their decision to have recourse to the Court, and the names of the arbitrators. The tribunal of arbitration shall meet at the time fixed by the parties. The members of the Court, in the discharge of their duties, and outside of their own country, shall enjoy diplomatic privileges and immunities.

#### ARTICLE XXV.

The Court of Arbitration shall ordinarily sit at The Hague. Except in cases of necessity, the place of session shall be changed by the Court only with the assent of the parties.

#### ARTICLE XXVI.

The International Bureau at The Hague is authorized to put offices and its staff at the disposal of the signatory powers, for the performance of the duties of any special tribunal of arbitration. The jurisdiction of the permanent Court may be extended under conditions prescribed by its rules to controversies existing between non-signatory powers, or between signatory powers and non-signatory powers, if the parties agree to submit to its jurisdiction.

#### ARTICLE XXVII.

The signatory powers consider it their duty

case a serious dispute threatens to break out between two or more of them, to remind these latter that the permanent Court of Arbitration is open to them. Consequently, they declare that the fact of reminding the parties in controversy of the provisions of the present convention, and the advice given to them in the higher interests of peace, to have recourse to the permanent Court, can only be considered as an exercise of good offices.

#### ARTICLE XXVIII.

A permanent administrative council, composed of the diplomatic representatives of the signatory powers accredited to The Hague, and of the Netherlands Minister of Foreign Affairs, who shall act as President, shall be constituted in that city as soon as possible after the ratification of the present act by at least nine powers. This Council shall be charged with the establishment and organization of the International Bureau, which shall remain under its direction and control. It shall notify the powers of the constitution of the Court and provide for its installation. It shall make its own by-laws and all other necessary regulations. It shall decide all questions of administration which may arise with regard to the operations of the Court. It shall have entire control over the appointment, suspension, or dismissal of officials and employees of the Bureau. It shall determine their allowances and salaries, and control the general expenditure. At meetings duly summoned five members shall constitute a quorum. All decisions shall be made by a majority of votes. The Council shall communicate to each signatory power without delay the by-laws and regulations adopted by it. It shall furnish them with a signed report of the proceedings of the Court, the working of the administration, and the expenses.

## ARTICLE XXIX.

The expense of the Bureau shall be borne by the signatory powers in the proportion established for the International Bureau of the International Postal Union.

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## Chapter III. On Arbitral Procedure.

## ARTICLE XXX.

With a view to encouraging the development of arbitration, the signatory powers have agreed on the following rules which shall be applicable to the arbitral procedure unless the parties have agreed upon different regulations:

## ARTICLE XXXI.

The powers which resort to arbitration shall sign a special act (compromise), in which the subject of the difference shall be precisely defined, as well as the extent of the powers of the arbitrators. This act implies an agreement by each party to submit in good faith to the award.

## ARTICLE XXXII.

The duties of arbitrator may be conferred upon one arbitrator alone or upon several arbitrators selected by the parties, as they please, or chosen by them from the members of the permanent Court of Arbitration established by the present act. Failing the constitution of the tribunal by direct agreement between the parties, it shall be formed in the following manner:

Each party shall appoint two arbitrators and these shall together choose an umpire. In case of an equal division of votes the choice of the umpire shall be entrusted to a third power to be selected by the parties by common accord. If no agreement is arrived at on this point, each party shall select a different power, and the choice of the umpire shall be made by agreement between the powers thus selected.

## ARTICLE XXXIII.

When a sovereign or chief of state shall be chosen for an arbitrator, the arbitral procedure shall be determined by him.

## ARTICLE XXXIV.

The umpire shall preside over the tribunal. When the tribunal does not include an umpire, it shall appoint its own presiding officer.

## ARTICLE XXXV.

In case of the death, resignation, or absence, for any cause, of one of the arbitrators, the place shall be filled in the manner provided for his appointment.

## ARTICLE XXXVI.

The parties shall designate the place where the tribunal is to sit. Failing such a designation, the tribunal shall sit at The Hague. The place of session thus determined shall not, except in the case of overwhelming necessity, be changed by the tribunal without the consent of the parties.

## ARTICLE XXXVII.

The parties shall have the right to appoint agents

or attorneys to represent them before the tribunal and to serve as intermediaries between them and it.

They are also authorized to employ for the defense of their rights and interests before the tribunal, counsellors or solicitors named by them for that purpose.

#### ARTICLE XXXVIII.

The tribunal shall decide upon the choice of languages used by itself, or to be authorized for use before it.

#### ARTICLE XXXIX.

As a general rule the arbitral procedure shall comprise two distinct phases—preliminary examination and discussion. Preliminary examination shall consist in the communication by the respective agents to the members of the tribunal and to the opposite party, of all printed or written acts, and of all documents containing the arguments to be invoked in the case. This communication shall be made in the form and within the period fixed by the tribunal, in accordance with Article XLIX.

The discussion shall consist in the oral development before the tribunal of the argument of the parties.

#### ARTICLE XL.

Every document produced by one party must be communicated to the other party.

#### ARTICLE XLI.

The discussions shall be under the direction of the President. They shall be public only in case it shall be so decided by the tribunal, with the assent of the parties. They shall be recorded in the official

minutes drawn up by the Secretaries appointed by the President. These official minutes alone shall have an authentic character.

#### ARTICLE XLII.

the tribunal may refuse admission of all new acts or documents, which one party may desire to submit to it, without the consent of the other party.

#### ARTICLE XLIII.

The tribunal may take into consideration such new acts or documents to which its attention may be drawn by the agents or counsel of the parties. In this case the tribunal shall have the right to require the production of these acts or documents, but it is obliged to make them known to the opposite party.

#### ARTICLE XLIV.

The tribunal may also require from the agents of the party the production of all papers, and may demand all necessary explanations. In case of refusal, the tribunal shall take note of the fact.

#### ARTICLE XLV.

The agents and counsel of the parties are authorized to present orally to the tribunal all the arguments which they may think expedient in support of their cause.

#### ARTICLE XLVI.

They shall have the right to raise objections and to make incidental motions. The decisions of the tribunal on these points shall be final, and shall not form the subject of any subsequent discussion.



## ARTICLE XLVII.

The members of the tribunal shall have the right to put questions to the agents or counsel of the parties, and to demand explanations from them on doubtful points. Neither the question put nor the remarks made by members of the tribunal during the discussion or argument shall be regarded as an expression of opinion by the tribunal in general, or by its members in particular.

## ARTICLE XLVIII.

The tribunal shall have the right to make rules of procedure for the direction of the trial, to determine the form and the periods in which parties must conclude the argument, and to prescribe all the formalities regulating the admission of evidence.

## ARTICLE XLIX.

The tribunal is authorized to determine its own jurisdiction by interpreting the agreement of arbitration or other treaties which may be quoted in point, and by the application of the principles of international law.

## ARTICLE L.

The agents and the counsel of the parties having presented all the arguments and evidence in support of their case, the President shall declare the hearing closed.

## ARTICLE LI.

The deliberations of the tribunal shall take place with closed doors. Every decision shall be made by a majority of the members of the tribunal. The

refusal of any member to vote shall be noted in the official minutes.

#### ARTICLE LII.

The award shall be made by a majority of votes, and shall be accompanied by a statement of the reasons upon which it is based. It must be drawn up in writing, and signed by each of the members of the tribunal. Those members who are in the minority may, in signing, state their dissent.

#### ARTICLE LIII.

The award shall be read in a public sitting of the tribunal, the agents and counsel of the litigants being present or having been duly summoned.

#### ARTICLE LIV.

The award duly pronounced and notified to the agents of the parties in litigation shall decide the dispute finally and without appeal.

#### ARTICLE LV.

The parties may reserve in the agreement of arbitration the right to demand a rehearing of the case. In this case, and in the absence of any stipulation to the contrary, the demand shall be addressed to the tribunal which has pronounced the judgment; but it shall be based only on the discovery of new facts, of such a character as to exercise a decisive influence upon the judgment, and which at the time of the judgment were unknown to the tribunal itself and to the parties demanding the rehearing. The proceedings for a rehearing can only be begun by a decision of the tribunal

stating expressly the existence of the new fact and recognizing that it possesses the character described in the preceding paragraph, and declaring that the demand is admissible on that ground. The agreement of arbitration shall determine the time within which the demand for a rehearing shall be made.

#### ARTICLE LVI.

The award shall be obligatory only on the parties who have concluded the arbitration agreement. When there is a question of the interpretation of an agreement entered into by other powers besides the parties in litigation, the parties to the dispute shall notify the other powers which have signed the agreement of the special agreement which they have concluded. Each one of these powers shall have the right to take part in the proceedings. If one or more among them avail themselves of this permission, the interpretation in the judgment becomes obligatory upon them also.

#### ARTICLE LVII.

Each party shall bear its own expenses and an equal part of the expenses of the tribunal.

#### General Provisions.

#### ARTICLE LVIII.

The present convention shall be ratified with as little delay as possible. The ratifications shall be deposited at The Hague. An official report of each ratification shall be made, a certified copy of which shall be sent through diplomatic channels to all the powers represented in the Peace Conference at The Hague.

## ARTICLE LIX.

The powers which were represented at the International Peace Conference, but which have not signed this convention, may become parties to it. For this purpose they will make known to the contracting powers their adherence by means of a written notification addressed to all the other contracting parties.

## ARTICLE LX.

The conditions under which powers not represented in the International Peace Conference may become adherents to the present convention shall be determined hereafter by agreement between the contracting powers.

## ARTICLE LXI.

If one of the high contracting parties shall give notice of a determination to withdraw from the present convention, this notification shall have its effect only after it has been made in writing to the government of the Netherlands and communicated by it immediately to all the other contracting powers. This notification shall have no effect except for the power which has made it.

In faith of which the plenipotentiaries have signed the present convention and affixed their seals to it.

Done at The Hague, the 29th day of July, 1899, in a single copy, which shall remain in the archives of the Netherlands Government, and copies of it, duly certified, be sent through the diplomatic channel to the contracting powers.

(Signatures.)

### MEMBERS OF THE HAGUE CONFERENCE.

The following is a list of members of The Hague Conference, with the committee assignments of each arranged alphabetically according to the French name of the country represented:

#### Germany (Allemagne.)

Count George Herbert Munster Ladenburg, since created Prince Munster Derneburg; Ambassador for Hanover at St. Petersburg, 1856-1864; Member of the Prussian House of Lords, 1867, and of the North German Reichstag, 1867-1873; Ambassador of Germany to the Court of St. James, 1873-1885; Ambassador of Germany to France since 1885. Count Munster was the senior member of the Conference, and Honorary President of the First Committee.

Baron Carl von Stengel; Imperial Langerichtsrath in Mulhausen, 1871-1879; at Strassburg, 1879-1881; Professor at University of Breslau, 1881-1890; at University of Wurzburg, 1890-1895; at University of Munich since 1895. Vice President of the Second Committee, and a member of the First Committee, and of the Committee of the Final Act.

Colonel (now Major-General) Gross von Schwarzhoff, commander of the Fifth Regiment of Infantry, No. 93; Military Expert, Member of the First and Second Committees.

Captain Siegel, Naval Attache at the Embassy of the German Empire at Paris; Naval Expert. Vice President of the First Committee, and a member of the Second and Third Committees.

#### United States of America (Etats Unis d'Amerique.)

Andrew Dickson White, LL. D., L. H. D.; Secretary of Legation at St. Petersburg, 1855-1856; State Senator of New York, 1863-1867; President of Cornell

University, 1867-1885; Special Commissioner of the United States to the Republic of Santo Domingo, 1871; Envoy Extraordinary and Minister Plenipotentiary to Germany, 1879-1881; to Russia, 1892-1894; Ambassador to Germany since 1897. President of the American Commission, Honorary President of the First Committee, and member of the Second and Third Committees.

Seth Low, LL. D.; Mayor of Brooklyn, 1881-1885; President of Columbia University; New York, since 1890. Member of the Third Committee, and of the Committee on the Final Act.

Stanford Newel; Envoy Extraordinary and Minister Plenipotentiary of the United States to the Netherlands since 1897. Member of the Second Committee.

Captain Alfred T. Mahan, LL. D., D. C. L., United States Navy, appointed to the Navy, 1856; Lieutenant, 1861; Lieutenant-Commander, 1865; President of the Naval War College at Newport, R. I., 1886-1893; Member of the Naval Advisory Strategy Board, 1898. Member of the First and Second Committees.

Captain William Crozier, United States Navy; Captain in the Ordnance Department since 1890; inventor of a disappearing gun carriage, wire wrapped rifle, and an improved ten-inch gun; Major and Inspector General of United States Volunteers, 1898. Member of the Second and Third Committees.

Frederick William Holls, D. C. L., Counselor at Law; Member of the Constitutional Convention of the State of New York, 1894. Secretary and Counsel of the American Commission, and a member of the Third Committee, as well as of the Comité d'Examen.

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#### **Austria-Hungary (Autriche-Hongrie.)**

Count Rudolph von Welsersheimb; Envoy Extraordinary and Minister Plenipotentiary at Belgium in

1888; Privy Councillor and Permanent Under-Secretary of State for Foreign Affairs, since 1895; Ambassador Extraordinary to The Hague for the purposes of this Conference. Honorary President of the Second Committee and a member of the Third Committee.

Alexander Okoliscanyi von Okolischna; Privy Councillor and Chamberlain of His Majesty the Austrian Emperor; Envoy Extraordinary and Minister Plenipotentiary to Stuttgart, 1889, and to the Netherlands in 1894. Member of the Third Committee.

Gaetan Mery de Kapos-Mere; Councillor of State and Chief of Cabinet in the Ministry of Foreign Affairs. Vice President of the Third Committee of the Conference and a member of the Second Committee, and of the Committee of the Final Act.

Professor Heinrich Lammasch, Professor of Law at the University of Vienna. Member of the Second and Third Committees, as well as of the Comité d'Examen.

Victor von Khuepach zu Ried, Zimmerlehen und Halsburg; Lieutenant-Colonel on the General Staff; Military Expert. Member of the First and Second Committees.

Count Stanislas Soltyk, Captain; Naval Expert. Member of the First and Second Committees.

### **Belgium (Belgique.)**

Auguste Beernaert, Minister of State, President of the Chamber of Deputies of the Kingdom of Belgium. President of the First Committee, and a member of the First and Second Committees.

Count de Grelle Rogier; Envoy Extraordinary and Minister Plenipotentiary of Belgium to the Netherlands. Member of the First and Third Committees.

Chevalier Descamps, Senator of the Kingdom of Belgium. Member of the Second and Third Committees.

tees, and of the Committee on the Final Act, and a member and reporter for the Comité d'Examen.

### China (Chine.)

Yang Yu, Envoy Extraordinary and Minister Plenipotentiary to the Courts of St. James and Vienna, former Minister to Washington, Lima, and Madrid; Mandarin of the second class, wearing the peacock feather.

Lou-Tseng-Tsiang, Secretary of Legation at St. Petersburg since 1892.

Hoo-Wei-Teh, Secretary of Legation at St. Petersburg; formerly at London, Washington, and Madrid; Charge d'Affaires at St. Petersburg and Vienna; Mandarin of the third class.

The three Chinese delegates were members of the Second and Third Committees.

Ho-Yen-Cheng, Councillor of Legation, assistant delegate.

### Denmark (Danemark.)

Frederick E. De Bille, Minister at Washington, 1867-1872; at Stockholm, 1872-1890; Envoy Extraordinary and Minister Plenipotentiary to London since 1890. Vice President of the Third Committee.

Colonel J. G. F. von Schnack, former Minister of War. Member of the First and Second Committees.

### Spain (Espangne.)

The Duke of Tetuan, formerly Minister of Foreign Affairs. Honorary President of the Second Committee.

W. Ramirez de Villa-Urrutia, Envoy Extraordinary and Minister Plenipotentiary to Brussels; Plenipotentiary for the negotiation of peace with the United



States in Paris, 1898. Member of the Second and Third Committees.

Arturo de Baguer, Envoy Extraordinary and Minister Plenipotentiary to The Hague. Member of the Second Committee.

Colonel Count de Serrallo, Military Attache of the Spanish Legation at Brussels; Military Expert. Member of the First Committee.

### France (France.)

Leon Bourgeois, formerly Minister of Public Instruction and Prime Minister of France. President of the Third Committee and of the Comite d'Examen.

Georges Bihourd, Envoy Extraordinary and Minister Plenipotentiary to The Hague. Member of the First Committee.

Baron d'Estournelles de Constant, formerly Charge d'Affaires at London; member of the Chamber of Deputies. Vice President of the Third Committee, and Secretary of the Comite d'Examen.

Rear-Admiral Pephau, French Navy; Naval Expert. Member of the First and Second Committees.

Brigadier-General Mounier, French Army; Military Expert. Member of the First and Second Committees.

Louis Renault, Professor of Law at Paris. Member of the Second and Third Committees, and a member and reporter of the Committee on the Final Act.

### Great Britain and Ireland (*Grande Bretagne et Irlande*)

Sir Julian Pauncefote, since raised to the Peerage as Baron Pauncefote of Preston, Ambassador to the United States. Honorary President of the Third Committee of the Conference and of the Comite d'Examen.

Sir Henry Howard, Envoy Extraordinary and Minister Plenipotentiary to The Hague. Member of the Third Committee.

Vice-Admiral Sir John A. Fisher, R. N.; Naval Expert. Vice President of the First Committee and member of the Second Committee.

Major-General Sir John Ardagh, R. A., Director of Military Intelligence at the War Office; Military Expert. Vice President of the First Committee of the Conference, and member of the Second Committee.

Lieutenant-Colonel Charles a Court, R. A., Military Attache at Brussels and at The Hague. Member of the Second Committee.

### Greece (Grece.)

Nicholas P. Delyannis, formerly Prime Minister and Minister of Foreign Affairs; Envoy Extraordinary and Minister Plenipotentiary to Paris. Member of the Third Committee.

### Italy (Italie.)

Count Constantino Nigra, formerly Ambassador to France and London; Ambassador to Vienna. Honorary President of the Third Committee and of the Comité d'Examen, and member of the Committee on the Final Act.

Count A. Zannini; Envoy Extraordinary and Minister Plenipotentiary to The Hague. Member of the Third Committee.

Commander Guido Pompilj; member of the Italian Parliament. Vice President of the Third Committee; member of the Second Committee.

Major-General Chevalier Louis Zuccari; Vice President of the Second Committee and member of the First Committee.

Captain Chevalier Auguste Bianco; Naval Expert, Naval Attache at London. Member of the First and Second Committees.

**Japan (Japon.)**

Baron Hayashi, formerly Envoy Extraordinary and Minister Plenipotentiary to St. Petersburg and at present to the Court of St. James.

M. J. Motono, Envoy Extraordinary and Minister Plenipotentiary to Brussels. Member of Second and Third Committees.

Colonel Uyehara, Military Expert. Member of the First Committee.

Captain Sakamoto, Naval Expert. Member of the First Committee.

Nagas Arriga, Professor of International Law at the Army and Navy College at Tokio; Technical Delegate.

**Luxemburg (Luxembourg.)**

M. Eyschen, Minister of State and President of the Grand Ducal Government. Member of the Second and Third Committees.

Count d'Villers, Charge d'Affaires at Berlin. Member of the Second and Third Committees.

**Mexico (Mexique.)**

M. de Mier, Envoy Extraordinary and Minister Plenipotentiary at Paris.

M. Zenil, Minister resident at Brussels, and member of the Second and Third Committees.

**Montenegro (see Russia.)****Netherlands (Pays Bas.)**

Jonkheer A. P. C. van Karnebeek, formerly Minister of Foreign Affairs; member of the Second Chamber of the States General, Vice President of the Peace

Conference, and Honorary President of the Second Committee.

General J. C. C. Den Beer Poortugael, formerly Minister of War; member of the Council of States. Member of the First Committee.

T. M. C. Asser, member of the Council of State; President of the Institute of International Law and Honorary President of the Second Committee of the Conference; member of the Third Committee and of the Comité d'Examen, as well as of the Committee on the Final Act.

E. N. Rahusen, member of the First Chamber of the States General, and member of the Second Committee.

Commander A. P. Tadema, Chief of the General Staff of the Netherlands Marine; Naval Expert and member of the First Committee.

#### **Persia (Perse.)**

General Mirza Riza Khan (Arfa ud Dovleh), Envoy Extraordinary and Minister Plenipotentiary at St. Petersburg. Member of the First, Second and Third Committees.

Mirza Samad Khan Montazis-Saltaneh, Councillor of the Legation at St. Petersburg.

#### **Portugal (Portugal.)**

Count de Macedo, Envoy Extraordinary and Minister Plenipotentiary to Madrid. Vice President of the Third Committee.

Agostinho d'Ornellas Vasconcellos, Envoy Extraordinary and Minister Plenipotentiary at St. Petersburg. Member of the Third Committee.

Count de Selir, Envoy Extraordinary and Minister Plenipotentiary to The Hague. Member of the Second Committee.

Captain Ayres d'Ornellas; Military Expert. Member of the First Committee.

Captain Auguste de Castilho, of the Portuguese Navy; Naval Expert.

### **Roumania (Roumanie.)**

Alexander Beldiman, Envoy Extraordinary and Minister Plenipotentiary at Berlin. Member of the First and Third Committees.

Jean N. Papinlu, Envoy Extraordinary and Minister Plenipotentiary to The Hague. Member of the Second and Third Committees.

Colonel Constantine Coanda, Director of Artillery in the Ministry of War; Military Expert. Member of the First Committee.

### **Russia (Russie.)**

Baron de Staal, Privy Councillor, Ambassador of Russia at the Court of St. James; President of the Peace Conference. Member of the Third Committee and of the Comité d'Examen.

Fedor de Martens, Privy Councillor; Permanent Member of the Council of the Imperial Ministry of Foreign Affairs. President of the Second Committee, member of the Third Committee and of the Comité d'Examen, as well as of the Committee on the Final Act.

Chamberlain de Basily, Councillor of State; Director of First Department of Imperial Ministry of Foreign Affairs. Member of the First Committee and of the Comité d'Examen.

Arthur Raffalovich, Councillor of State; Agent of the Imperial Ministry of Finance at Paris, Technical Delegate, Assistant Secretary-General, and member of the Committee on the Final Act.

Colonel Gilinsky of the General Staff; Military Expert. Member of the First and Second Committees.

Count Barantzew, Colonel of Mounted Artillery in the Guard, Military Expert. Member of the First and Second Committees.

Captain Scheine, Naval Agent of Russia at Paris; Naval Expert. Member of the First and Second Committees.

Lieutenant Ovtchinnikow, Professor of Jurisprudence; Technical Delegate. Member of the First and Second Committees.

### **Servia (Serbie.)**

Chedomil Mijatovitch, Envoy Extraordinary and Minister Plenipotentiary to the Court of St. James. Member of the Second and Third Committees.

Colonel Maschine, Envoy Extraordinary and Minister Plenipotentiary to Gettigne. Member of the First Committee.

Voislave Veljkovitch, Professor of Law at Belgrade. Member of the Second and Third Committees.

### **Siam (Siam.)**

Phya Suriya, Envoy Extraordinary and Minister Plenipotentiary to France. Member of the Third Committee.

Phya Visuddha, Envoy Extraordinary and Minister Plenipotentiary to the Court of St. James.

Chevalier Corragioni d'Orelli, Councillor of Legation. Member of the Second and Third Committees.

Edouard Rolin, Consul-General of Siam in Belgium. Member of the First and Third Committees; reporter of the sub-committee of the Second Committee.

### **Sweden and Norway (Suede et Norvege.)**

Baron de Bildt, formerly Minister to Washington and Vienna, Envoy Extraordinary and Minister Plenipotentiary to Italy. Member of the Third Committee.

Col. P. H. E. Brandstrom, Commander First Regiment of Grandees of the Court; Military Expert. Member of the First and Second Committees.

... Captain C. A. M. de Hjulhammer, Naval Expert.

W. Konow, President of the Odelsthing of Norway, and member of the Third Committee.

... Major General J. J. Thaulow of the Norwegian Army, Military Expert. Vice President of the Second Committee.

### Switzerland (Suisse.)

Arnold Roth, Envoy Extraordinary and Minister Plenipotentiary at Berlin. Vice President of the Second Committee and member of the Third Committee.

Colonel Arnold Kuenzli, National Councillor. Member of the First and Third Committees.

... Edouard Odier, National Councillor; Counselor at Law. Member of the Second and Third Committees and of the Comite d'Examen.

### Turkey (Turquie.)

Turkhan Pacha, formerly Minister of Foreign Affairs and member of Council of State. Honorary President of the Second Committee and member of the Third Committee.

Noury Bey, Secretary-General in the Ministry of Foreign Affairs. Member of the Second and Third Committees.

General Abdullah Pacha, Military Expert. Vice President of the First Committee and member of the Second Committee.

Rear-Admiral Mehemed Pacha, Naval Expert. Member of the First and Second Committees.

**Bulgaria (Bulgarie.)**

Dimitri I. Stancioff, Diplomatic Agent at St. Petersburg. Member of the Second and Third Committees.

Major Christo Hessaptchieff, Military Attache at Belgrade. Member of the First Committee.

**FAMOUS FRIENDS OF PEACE.**

1. Many of the Christian Martyrs died for their loyalty to the principle of peace. Maximilian and Marcellus went to death rather than to become soldiers. They were offered life with honor if they would join the army, but promptly chose the alternative—martyrdom.

2. Henry IV. of France, who formed his "Great Design" for the federation of Europe.

3. Hugo Grotius. His "Rights of War and Peace," published in 1624, says Andrew D. White, "of all works not claiming to be inspired, has proved the greatest blessing to humanity."

4. William Penn in 1693 published his remarkable "Plan for the Permanent Peace of Europe."

5. Immanuel Kant, the great German philosopher. In his essay on "Eternal Peace," he showed that war would not cease until the world was organized, and that it could not be safely federated until the nations had representative government.

6. William Ellery Channing. The ablest and most strenuous supporter of peace that the American pulpit has produced.

7. Charles Sumner. In his famous address on "The True Grandeur of Nations," and other great addresses, he worked as earnestly against war as during his whole life he worked against slavery.



8. Elihu Burritt. He secured cheap ocean postage. Half a century before the Czar's rescript, he proposed a World Court. This idea was popularly known in Europe as "The American Plan."

9. Czar Nicholas of Russia will appear in history as a friend of peace, because he proposed the first Hague Conference.

10. Andrew Carnegie and President Roosevelt will also live in history for what they have done in the cause of peace, and many others not so famous, but no less earnest, have been mentioned in this book. And there are still others, almost innumerable.

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## HOW TO ARBITRATE.

Arbitration is a common method of settling controversies between individuals as well as between nations. The method of conducting arbitration between individuals is the same general method as that used in adjusting difficulties between nations.

### **Form of Submission for General Arbitration.**

The following is a general form that can be used in referring all matters in dispute between parties at issue. A special form is used where the controversy is confined to one or two particular disagreements:

KNOW ALL MEN BY THESE PRESENTS,  
That we, the undersigned, hereby mutually agree to submit all the matters in difference between us, of every kind, name and nature, to the determination and award of A. B., C. D., and E. F., of . . . . ., County of . . . . ., and State of . . . . ., as arbitrators. That said arbitrators, or any two of them, shall hear and determine the matters in dispute between us, and award the payment of all the costs and expenses incurred in such arbitration. That the said arbitrators

shall make their award in writing on or before the  
 ..... day of ....., A. D. 19...

Done at ....., A. D. 19...

.....  
 .....

.....  
 .....

Witnesses.

### Form for Special Arbitration.

KNOW ALL MEN BY THESE PRESENTS,  
 That we, the undersigned, are partners doing business  
 under the firm name of W. X. and Y. Z., at .....,  
 in the state of ....., and are about to dissolve our  
 partnership. That a controversy exists between us  
 concerning the settlement of the firm business, and  
 the business transactions and claims by and between  
 us, subsequent to the ..... day of ....., A. D.  
 19... That we hereby mutually agree to submit these  
 matters in difference between us to the determination  
 and award of, etc. (As in form of general submis-  
 sion, to the end.)

(Other special grievances may be embodied in a  
 similar form.)

### Bond for Submission to Arbitration.

Each party in dispute may execute a bond to the  
 other, so that both are equally bound to submit to the  
 award of their chosen arbitrators.

KNOW ALL MEN BY THESE PRESENTS,  
 That I, W. X., of the town of ....., in the county  
 of ....., and state of ....., am held and firmly  
 bound to Y. Z., in the sum of ....., for the payment  
 of which I bind myself and my legal representatives  
 by these presents.

The condition of this obligation is: That if the above bounden W. X., or his legal representatives, shall submit, perform and comply with all the award, determination, judgment and orders of the arbitrators named and selected by the said W. X. and Y. Z. to award, determine, judge and order of and concerning the controversy existing between them, as partners, as to the settlement of the firm business and the business transactions and claims by and between them subsequent to the ..... day of ....., A. D. 19.. (with the power to award payment of costs and expenses incurred in said arbitration), then this obligation shall be void; otherwise it shall remain in full force.

Sealed with my seal and dated this ..... day of ....., 19...

Witnesses.

Sometimes the limitations of the time in which the arbitration award shall be made is embodied in the bond, as well as in the agreement of submission to arbitration.

#### Form of Notice to Arbitrators.

To.....

Gentlemen: You have been chosen arbitrators on behalf of the undersigned, to arbitrate and award between them, in such matters and things as set forth in their submission, which will be open to your inspection when you meet at ..... in ....., state of ....., on the ..... day of ....., A. D. 19.., at ten o'clock in the forenoon, to hear the allegations and proofs of .....

Yours, etc.,

Dated at ....., state of ....., this ..... day of ....., A. D. 19...

**Form of Subpoena of Witness.**

The people of the State of ....., to .....  
 and .....: You, and each of you, are commanded  
 personally to appear and attend at ....., in the  
 ..... of ....., in ..... county, state of  
 ....., on the ..... day of ....., A. D.  
 18.., at ten o'clock in the forenoon, before.....  
 of ....., the arbitrators chosen to determine a con-  
 troversy between W. X. and Y. Z., then and there to  
 testify as a witness in relation thereto, before said  
 arbitrators, on the part of the said ..... Hereof  
 fail not at your peril. Given under my hand this  
 ....., day of ....., A. D. 19...

.....,  
 (Justice of the Peace.)

It is customary to allow fees to arbitrators for their  
 services equal to those given referees appointed by  
 courts of law to determine cases.

**Form of Arbitrators' Oath.**

Before entering upon their duties, the arbitrators  
 should, if required by law or the submission, go before  
 a judge of some court of record, or a justice of the  
 peace, and make oath as follows:

"You do severally swear, faithfully and fairly to  
 hear and examine the matters in controversy between  
 W. X., of the one part, and Y. Z., on the other part,  
 and to make a just award according to the best of  
 your understanding. So help you God."

The arbitrators can administer the oath to wit-  
 nesses before them in the usual form of courts of law,  
 when they are acting under the order of a court or  
 statute.

**General Form for the Arbitrators' Award.**

KNOW ALL MEN BY THESE PRESENTS,

That we, the undersigned, arbitrators of all matters in difference, of every kind, name and nature, between ....., by virtue of their agreement of submission of said matters, dated at ....., state of ....., on the ..... day of ....., A. D. 19..., do award, order, judge and determine of and concerning the same as follows:

1. That, etc.
2. That, etc.
3. That, etc.
4. That, etc.

(Plainly setting forth each point of difference between the parties, and the decision reached by the arbitrators on each item in accordance with law and equity, and with the testimony presented.)

In witness whereof, we have, in the presence of each other, hereunto set our hands this ..... day of ....., A. D. 19...

.....  
 .....  
 .....

### Form of Petition for Peace.

To the Honorable Senate (or House of Representatives) of the United States:

We, the undersigned citizens of ..... in the state of ..... recognizing the horror and enormous waste of life and property in war, and the benefits and advantages which the world would enjoy in universal peace, respectfully ask that you take such action as will tend to make it obligatory upon nations to settle all disputes, differences and controversies by arbitration.

### Suggestions How to Form a Peace Society.

A peace society is one of the most efficient means for propagating peace sentiments. It can be formed

by the citizens of a neighborhood or the pupils of a school. A peace society can study the history of peace and the development of peace sentiments in the world; it can also study methods to avoid and settle disputes between individuals, between conflicting interests and between states. It can study and encourage arbitration for any and all disputes.

A meeting having been called for that purpose, the persons interested will gather together and organize, by selecting a president and secretary. A committee on organization can be appointed, which can submit a constitution something like the following, changed to meet the needs and conditions of the people organizing:

#### CONSTITUTION.

##### **Name.**

Section 1. The name of this organization shall be  
The Peace Society of .....

##### **Meetings.**

Sec. 2. Its principal place of meeting shall be  
at .....

##### **Object.**

Sec. 3. The object of this society shall be, through the mediums of association and discussion, to study the arts of peace, inculcate the sentiment of peace in the community, inform the members of this society, by study, teaching and debate, learn the history of peace and the methods of arbitration, promote peaceful methods for settling disputes, and encourage peace among mankind.

##### **Methods.**

Sec. 4. As a means to effect these purposes the society shall hold stated meetings, at which the members and others who shall be invited, shall discuss

peace methods and peace sentiments, and give readings thereon.

#### **Membership.**

Sec. 5. All persons of ..... who shall comply with the constitution and the conditions of the by-laws shall be eligible to membership.

#### **Government.**

Sec. 6. The officers and committees of this society shall be fixed and regulated by the by-laws.

#### **Amendments.**

Sec. 7. The constitution may be amended at any regular meeting of the society (written notice thereof having been given at a previous regular meeting) by a two-thirds vote of the members present.

#### **BY-LAWS.**

##### **Membership.**

Section 1. The membership of this society shall consist of the charter members and all others who shall subscribe to the constitution and by-laws and receive a ..... vote of the members.

##### **Dues.**

Sec. 2. The dues from members shall be.....

##### **Officers.**

Section 3. The officers of this society shall be a president, vice president, secretary and treasurer.

##### **Duties of Officers.**

Sec. 4. The officers shall perform the usual duties of such officers respectively.

**Amendments.**

Sec. 5. The by-laws may be amended at any regular meeting of the society by a two-thirds vote of the members present, provided that notice thereof shall be given at a previous regular meeting.

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**TOPICS FOR ESSAYS OR DISCUSSIONS IN SCHOOLS.**

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**Modern Civilization and War.**

1. International conferences and congresses.
2. Growth and extent of commerce.
3. The credit system of the world.
4. Immense derangement produced by war.
5. International consciousness and conscience.
6. Growing spirit of general humanity, brotherhood and common interest.

**Causes of War.**

1. Ambition, greed of wealth.
2. Boundary disputes.
3. Conflict of laws of different nations.
4. Maritime questions—high seas.
5. Commercial treaties; rum; opium; cotton; manufactures.
6. Barbarous countries; their occupancy by civilized people.
7. Colonization; intervention.
8. National honor, pride, resentment.
9. Love of liberty.
11. Race prejudices and feuds.
12. Unscrupulous journalism.



### The War Spirit.

How stimulated and developed in mankind? How suppressed?

1. Novels and war.
2. Plays and war.
3. Traditions and war.
4. Uniforms and war.
5. Poetry and war.
6. History and war.
7. Music and war.
8. The grandeur of march.
9. A child's nature, how cultivated by precepts or proverbs, playthings, stories, military drills, etc.
10. Is the war spirit natural to man?
11. If so, does that justify its development and use against enemies?

### Christianity and War.

1. War and the ten commandments.
2. War and Christ's Advent Song of the Angels.
3. War and our Lord's character.
4. War and Christ's teachings—Sermon on the Mount.
5. War and Calvary—attitude of the Cross towards enemies.
6. The spirit of war and that of Gethsemane.
7. The spirit of the Kingdom introduced by the Saviour and extended by the Holy Spirit.
8. The power of the magistrature. Rom. XIII. 4.
9. Clearing the temple. John II. 13.
10. John the Baptist and soldiers. Luke III. 14.
11. Military figures of speech employed by New Testament writers. 2 Tim. II. 3.
12. Jesus's declarations of Christ and the Apostles and the hosts of New Testament how reconciled with universal peace.

13. Progress of the revelation of God and of peace.
14. Development of conscience.
15. The kingdom of heaven one of peace, as seen in the nature and the triumph of it.

#### **Absurdity or Reasonableness of War.**

1. In what sense is war unreasonable?
2. What is its character as an arbiter?
3. What does it decide?
4. What kind of force is employed in war?
5. History of duelling.
6. Cause of its abandonment.
7. Belligerency the quality of the uneducated, uncultivated and barbarous.
8. Effect of progress in individual, family and national life on belligerency, assaults, mobs, homicides.

#### **The Cruelty of War.**

1. To men.
2. To women.
3. To children.
4. To animals.
5. To prisoners.
6. To enemies.

#### **The Wickedness of War.**

1. The character it develops in men.
2. Vices peculiar to camp and barracks.
3. Temptations which arise in an enemy's country.
4. Disregard of property— theft.
6. Drunkenness of soldiers.
7. Gambling by soldiers.
8. Profanity of soldiers.
9. Sabbath-breaking.
10. Licentiousness.

#### **Waste of War.**

1. In human lives.

2. In human health—wounds, camp diseases, exposures, hospitals, semi-starvation in European countries produced by over-taxation.

3. Waste of material wealth. Proportion of national revenues going for war purposes.

4. Waste of talent and ingenuity.

5. Effect of military life on the moral character of soldiers.

6. Loss to nations by blockades.

7. Loss to nations by declarations of war.

### The Prevention of War.

1. Diplomacy.

2. Negotiation.

3. Mediation.

4. Commissions of inquiry.

5. Compromise.

6. Arbitration.

(a) What is arbitration?

(b) Who should the arbitrators be?

(c) How enforce their decision?

(d) Should courts of arbitration be temporary or permanent?

(e) How many international arbitrations have there been?

(f) Difference between local and business arbitrations and those between governments.

(g) Limits of arbitration.

(h) Describe how boards of arbitration are formed and conducted.

(i) Describe the formation of a peace society.

(j) Describe the formation of a peace conference by nations.

(k) What nations have led in seeking the establishment of a permanent court of arbitration?

(l) Reasons why the United States should be a peacemaker among the nations.

(m) The Hague Conference; its results and probable future influence.

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### QUESTIONS FOR REVIEW.

1. Who suggested The Hague Conference? When and where was it held? Who presided?

2. Give names of nations that were represented in The Hague Conference. How many sessions were held?

3. Name the nations who submitted the first case to The Hague Conference.

4. How many international peace conferences are mentioned in this book?

5. When and where was the first peace society organized?

6. Name ten famous advocates of universal peace.

7. What was the first international dispute settled by arbitration by the United States? Under what treaty was that board of arbitration appointed?

8. When and where was the first peace conference held?

9. How would you proceed to organize a peace society?

10. How are peace conferences called? How are the delegates usually selected?

11. Describe the methods of procedure in a peace conference.

12. Who proposed the first plan to maintain peace between nations?

13. Who promulgated the Monroe Doctrine? What are its principal features?

14. How many arbitration treaties have been used by the United States?

15. What official position did Charles Sumner hold for many years?

16. What do you consider the most important and effective movement toward maintaining peace between nations?

17. What is the first movement necessary to settle a dispute by arbitration? How do boards of arbitration proceed to reach a decision?

18. What are the duties of an umpire in the proceedings of a board of arbitration?

19. Would you favor the organization of a peace society, a peace conference or a board of arbitration in this class?

## INDEX.

### ADDRESSES, ESSAYS, ETC.—

Apponyi, Count Albert, on Permanent International Congress .....	214
Bailey, Mrs. Hannah J., Peace to Women.....	156
Blaine, James G., to Pan-American Congress.....	173
Blake, Mary E., on Concert of Nations, Verdict of Bartholdt, Richard, on the Parliament of Nations....	205
History, etc.....	160
Buchanan, William I., to American Peace Society....	169
Coombs, William J., at Lake Mohonk Conference...	154
Cowing, Rufus B., at Mohonk Conference.....	153
De Staal, President Hague Conference.....	39
Dymond, Jonathan, Essay on Quakers.....	100
Gilman, Daniel C., on Work Among Undergraduates	190
Harrison, Benjamin, on Results of Hague Conference	174
Hay, John, at Boston Peace Conference.....	176
Holls, Frederick W., on International Comity.....	166
Hugo, Victor at Paris Exposition.....	247
Kant, Immanuel, Essay on Perpetual Peace.....	112
Longfellow, H. W., "Arsenal at Springfield".....	273
Longfellow, H. W., "Peace Pipe".....	268
Maynard, L. A., on the Future.....	251
MacCracken, Henry M., on Work in Schools and Colleges .....	236
McLean, Mrs. Donald, Woman's Ideal.....	157
Moxom, Philip S., Sermon on Peace.....	130
Penn, William, Essay on Peace of Europe.....	103
Ruskin, John, on What the World Has Lost by War	225
Russell, Lord Chief Justice of England, to American Bar Association.....	137
Skinner, Charles R., on Hopes for Arbitration.....	163
Sumner, Charles, on the Grandeur of Nations.....	120
Thomas, Dr. Reuen, to Universal Peace Conference	125
Thomas, Dr. Reuen, on What Teaching May Do for Peace.....	153
Tolstoi, Count Leon, on Christianity and War.....	146

Trueblood, Benjamin F., to New England National Reform Association.....	149
Trueblood, Benjamin F., to Mohonk Conference.....	183
Whelpley, Samuel, on Universal Peace.....	117
Wilson, James Grant, on Grant and Gladstone.....	157
Wright, Carroll D., on Wage-Earners and Arbitration	193

#### ARBITRATION—

Alabama Claims.....	71
Alaskan Boundary.....	82
Articles of American Republics.....	320
Articles of Hague Conference.....	325
Between United States and Other Nations.....	66
Boundary Disputes.....	70
Compulsory Arbitration.....	308
Controversies Settled by United States Previous to 1903 .....	287
Differs From Mediation.....	49
Digest of United States Cases.....	288
Early Cases.....	50
Favored by Grecian Statesmen and Historians.....	53
First Case Before Hague Tribunal.....	75
First Case Under Treaty of Ghent.....	69
First Case Under Jay Treaty.....	67
Fisheries Claims.....	70
Forms for Petitions, Bonds, Notices, Oaths, Awards, etc. ....	355
Further Progress.....	301
In Greece and the East.....	50
Influence of the Popes.....	59
Middle Ages and More Recently.....	56
Obligatory Arbitration.....	302
Plan of New York Bar Association.....	87
Platform of Eighth Mohonk Conference.....	95
Platform of Eleventh Mohonk Conference.....	180
Rejected by the Romans.....	55
Treaty by Central and South American Nations.....	303
Treaty Between United States and Great Britain....	304
Treaty Between United States and Switzerland.....	303
United States as Arbitrator and Mediator.....	83
United States and Russia.....	78
Various Methods of Procedure.....	62

Venezuela and European Powers.....	78
<b>HAGUE CONFERENCE—</b>	
Address of President.....	39
Approved by Pope Leo XIII.....	249
Articles Adopted.....	325
Closing Session.....	46
Formal Opening.....	37
List of Members.....	342
Membership .....	36
Preliminaries .....	31
Rescript of the Russian Emperor.....	28
Results .....	47
Second Session.....	41
Selection of Location.....	34
Subjects for Consideration.....	32
<b>HAGUE CONFERENCE SECOND—</b>	
Principal Business.....	223
Topics for Discussion.....	224
Yet to be Called.....	227
<b>HOLY ALLIANCE—</b>	
Effect of the Movement.....	9
Madame de Kruderer's Influence.....	7
Massacres in the East.....	11
Motives That Inspired Emperor Alexander I.....	6
Origin of the Movement.....	6
Suggested by Frank Bader.....	8
<b>MONROE DOCTRINE—</b>	
Defied Europe.....	15
Origin and Effect.....	14
Promulgated in the President's Message.....	15
Still Maintained.....	17
Words of Warning.....	16
<b>MISCELLANEOUS SUBJECTS—</b>	
Appeals to Nations.....	92
Arsenal at Springfield (Longfellow, Poem).....	273
Buddha, Apostle of Peace.....	257
Constitution for Peace Societies.....	359
Christianity and War.....	146
Disarmament (Whittier, Poem).....	275



Dreams Coming True.....	251
Eulogy of John Hay.....	228
Famous Friends of Peace.....	353
Forms Used in Arbitration.....	355
Guarantee of Perpetual Peace.....	114
Government Clubs.....	246
How to Arbitrate.....	354
Hymns and Prayers.....	278
Kant's Articles of Perpetual Peace.....	113
Law of Benevolence.....	260
New World's Work for Peace.....	86
New Hymn of Peace (Howe).....	284
Mediation Differs from Arbitration.....	49
Parliament of Nations.....	205
Pope Leo XIII., Letter to Queen of Holland.....	249
Put Up the Sword (Poem, Joaquin Miller).....	277
Quakers in America and Ireland.....	100
Queen Wilhelmina, Letter to Pope Leo XIII.....	248
Question for Review.....	365
Roosevelt's Promise to Call New Peace Congress....	216
Roosevelt, the Peacemaker.....	200
Soldiers' Sentiment.....	267
Song of Peace (Poem).....	278
Terms of Perpetual Peace.....	113
Tolstoi on Christianity and War.....	146
Universal Language.....	119
Wit and Wisdom of the Talmud.....	259
Women's Sentiments.....	156
Work of the Year 1904-5 Reviewed.....	183

#### PEACE—

Peace (Verse) .....	276
Peace and the World-Soul (Poem).....	276
Peace Days.....	98
Peace in Prose and Poetry.....	262
Peace on Earth (Poem).....	203
Peace on Earth (Verses).....	279
Peace-Pipe (From Longfellow's "Hiawatha").....	268
Peace Prizes and Bequests.....	99
Peace Sentiments.....	267
Peace Work in Schools and Colleges.....	236

## PEACE CONFERENCES—

American International, First.....	19
American International, Second.....	23
At The Hague.....	27
Friends at Philadelphia.....	93
International Law Association at Glasgow.....	94
Interparliamentary Union at St. Louis.....	216
Lake Mohonk (Eighth).....	94
Mystic Peace.....	94
Notable Conferences.....	287
Thirteenth Interparliamentary at Brussels, 1905.....	226

## PEACE CONGRESSES—

British National at Bristol.....	231
Columbian at Chicago.....	88
First International and Others—Revived in 1889....	85
Interparliamentary Union, Basis for Organization...	209
Interparliamentary Union, Session at St. Louis.....	216
Interparliamentary Union, 13th Session, 1905....	205, 226
Monaco and Glasgow.....	92
Number Held Since 1875.....	98
Paris in 1856.....	18
Under Holy Alliance.....	9, 10

## PEACE PLANS—

Ancient Examples.....	1
Design of Henry IV. of France.....	3
Efforts of Marcus Aurelius Probus.....	2
Kant's Articles for Perpetual Peace.....	113
Queen Elizabeth's Support of Henry IV.....	4
William Penn's Proposal.....	111

## PEACE SOCIETIES—

Bureau at Berne.....	93
Constitution .....	359
First Planned in Boston.....	85
Forms for Use in Organizing.....	359
How to Organize.....	358
Quakers or Friends.....	100

## TOPICS FOR ESSAYS OR DISCUSSIONS—

Causes of War.....	361
Christianity and War.....	362

Civilization and War.....	361
Cruelty of War.....	363
Prevention of War.....	364
The War Spirit.....	362
Waste of War.....	363
Wickedness of War.....	363

## TREATIES, ETC.—

Articles of American Republics.....	320
Articles of Hague Conference.....	325
Central and South American.....	308
Interpretation of Compulsory Clauses.....	315
Ghent, Provisions for Arbitration.....	69
Jay, Provisions for Arbitration.....	66
List of Those Signed by United States.....	314
Spanish-American .....	319
United States and Great Britain.....	304
United States and Switzerland.....	303
Without Exceptions as to National Honor.....	318

## WAR—

Atrocious Consequences.....	122
Absurd Barbarism.....	163
Deranges Public Finances.....	134
Destroys Economic Values.....	133
Moral Aspects.....	136
Obstructs Social, Political and Economic Progress..	134
Opposed by the Teachings of Christianity.....	147
Hugo's Oration.....	247
Sumner's Description of the Siege of Genoa.....	122
What the World Has Last.....	225

